

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34437 of 2025

Arising Out of PS. Case No.-70 Year-2023 Thana- GARHI District- Jamui

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Fahim Miyan @ Fahim Ansari S/o- Khushru Miyan Village- Mudbaro PS-
Garhi Distt- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 110 of 2025 arising out of Garhi P.S. Case
No. 70 of 2023 instituted for the offences under Sections 147,
148, 149, 302 of the Indian Penal Code.

3. Prosecution case, in short, is that, all the accused
persons including the petitioner assembled on the spot and three
co-accused persons caught hold the husband of the informant



and in the meantime, one Irfan Miyan assaulted him on his neck with sword, as a result of which he died on the spot.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of assaulting the deceased by sword is against co-accused Irfan. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.10.2024 and has one criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 26.03.2025 passed in Cr. Misc. No. 19140 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sessions Trial No.
110 of 2025 arising out of Garhi P.S. Case No. 70 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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