

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45975 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- KALYANPUR District- East Champaran

1. Manegar Miyan @ Manager Miyan Son of Late Sher Miyan R/o Vill- Siswa Kharar, Makri Tola, P.S.- Kalyanpur, Dist- East Champaran at Motihari
2. Tabrej Alam @ Tabrej Miya @ Tabrej Miyan Son of Manegar Miyan @ Manager Miyan R/o Vill- Siswa Kharar, Makri Tola, P.S.- Kalyanpur, Dist- East Champaran at Motihari
3. Khurshed Miyan @ Khurshid Mian @ Khurshed Son of Manegar Miyan @ Manager Miyan R/o Vill- Siswa Kharar, Makri Tola, P.S.- Kalyanpur, Dist- East Champaran at Motihari
4. Jawed Miyan Son of Manegar Miyan @ Manager Miyan R/o Vill- Siswa Kharar, Makri Tola, P.S.- Kalyanpur, Dist- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel appearing on behalf of the petitioners, after some argument, seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 1, namely, Manegar Miyan @ Manager Miyan.

3. Permission is accorded.

4. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 1 is dismissed as withdrawn.

5. The petitioners no. 2, 3 and 4 apprehend their arrest



in a case registered for the offences punishable under Sections 127(1), 115(2), 118(1), 76, 109, 351(2), 352, 303(2) and 3(5) of the BNS.

6. Learned counsel for the petitioners submits that at para 3 it has been recorded that petitioner no. 1 has antecedent of two cases and petitioners no. 2, 3 and 4 have antecedent of one case. It is further submitted that in the order impugned, it has been recorded that all petitioners have antecedent of two cases, as such, the defects pointed out by the office, are hereby ignored. It is next submitted that the antecedent of the petitioners as recorded at para 3 is correct.

7. It is submitted that the informant alleges that on 19.01.2025, at about 06:00 a.m., all the accused persons including the petitioners came variously armed and Manegar Miyan assaulted Aslam Miyan by gandasa causing injury on his head. Thereafter, Tabrej Alam (petitioner no. 2) assaulted the informant's father with an iron rod and also assaulted him on his ear with brick causing injury. Thereafter, Khurshed Miyan (petitioner no. 3) and Jawed Miyan (petitioner no. 4) assaulted informant's mother Munni Khatoon with a sword and Gandasa causing head injury and co-accused Samina Khatoon assaulted the informant's brother Pyare Alam with lathi and bricks



causing injury. Further, Manager Miya also assaulted the informant's brother Imran Alam with an iron rod causing injury on his head and snatched his silver chain and Rs.500/- in cash.

8. Learned counsel appearing on behalf of the petitioners submits that injury of Aslam Miyan has been opined to be grievous in nature whereas injury of other injured has been opined by the Doctors to be simple in nature as pleaded at para 8 of the anticipatory bail application. It is further submitted that petitioners and the informant are neighbours and a dispute with regard to passage occurred in between the parties in which both sides assaulted each other. It is next submitted that from the side of the petitioners also Kalyanpur P.S. Case No. 38 of 2025 has been instituted against the side of the informant and others. It is also submitted that Kalyanpur P.S. Case No. 145 of 2020 has been instituted by the side of the informant against the petitioners.

9. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

10. Considering the submissions made by the learned counsel for the petitioners no. 2, 3 and 4, let the petitioners no. 2, 3 and 4 above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from



today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Kalyanpur P.S. Case No. 35 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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