

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45145 of 2025**

Arising Out of PS. Case No.-66 Year-2024 Thana- BATHWARIA District- West Champaran

Ijarayal Miyan S/o Israfil Miyan R/o Village- Bazar Bathwariya, Police  
Station- Bathwariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate  
For the State : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      30-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Bathwariya P.S. Case No. 66 of 2024 registered for the offence  
punishable under Sections 80 and 3(5) of the Bharatiya Nyaya  
Sanhita.

3. The petitioner is the husband of the deceased. He is  
accused of torturing and killing the deceased.

4. It has been submitted by learned counsel for the  
petitioner that the petitioner is in custody since 12.12.2024.

Paragraph-9 of the petition reads as follows:

*“9. That it is pertinent to state and  
submit here that there are two children from  
wedlock of the petitioner and the deceased in  
which one is boy aged about 3 years and second  
is girl aged about 2 years and both are living*



*with their grandmother in the house of the petitioner and moreover from perusal of the First Information Report it appears that the present case has been filed after the cremation of the victim, which also shows that due to otherwise reason or for extracting the money from the parents of the petitioner, this case has been brought after two days of occurrence.”*

5. Considering the period of custody and paragraph 9 of the petition, this application is allowed.

6. Let the petitioner, above named, 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 the learned Additional Sessions Judge, 1<sup>st</sup> Bagaha, West Champaran in connection with Bathwariya P.S. Case No. 66 of 2024, subject to the condition that the petitioner will co-operate in the trial.

7. At the time of accepting bail bonds, the Court below will verify the fact stated in paragraph-9 of the petition. If it is found that two children of the petitioner are staying with his family then his bail bonds shall be accepted otherwise appropriate order in accordance with law shall be passed.

**(Sandeep Kumar, J)**

P. Kumar

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