

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46133 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- DHANGAI District- Gaya

1. Faiyaz Ahmad @ Faiyaz Alam S/o Ishu MIyan @ Md. Yusuf Havvari R/o Village- Diwaniyan, Tola- Kajra Tand, P.S.- Dhangai, Dist- Gaya
2. Sarbar Alam S/o Ishu Miyan @ Md. Yusuf Havvari R/o Village- Diwaniyan, Tola- Kajra Tand, P.S.- Dhangai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manmohan Thakur, Advocate Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr. B.N. Jha. APP
For the Informant	:	Mr. Avinash Kumar Singh, Advocate Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 15-09-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 126(2), 115 (2), 352, 351 (2), 352 (3), 109 and 3 (5) of the BNS and later on Section 103 (1) of the BNS added.

3. The case of the prosecution is that the petitioner along with others assaulted the father of the informant by means of bricks on his head, chest and hand due to which the father of the informant got unconscious and he died during the



course of treatment after four days of the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the nature of allegation is general and omnibus. It is further submitted that from perusal of the post-mortem report, it will transpire that the doctor has not found any ante-mortem injuries on the person of the deceased whereas it is a specific case of the prosecution that the deceased was assaulted with bricks. The doctor has kept the opinion regarding the cause of death reserved till receipt of the FSL report. Thus, the post-mortem and the allegation does not correlate. Moreover the nature of allegation is general and omnibus. The petitioner is languishing in judicial custody since 28.04.2025 having no criminal antecedent.

5. Learned counsel for the Informant has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dhangahi (Dhangai) P.S. Case No. 46 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate, 1st Class, Sherghati at Gaya.

(Ashok Kumar Pandey, J)

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