

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48568 of 2025

Arising Out of PS. Case No.-172 Year-2023 Thana- PIPRAKOTHI District- East Champaran

AHMAD MIYA Son of Late Ilahi Mian R/o vill.- Koiriya Tola, Surajpur, P.S.-
Piprakothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Balgovind Sharma, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-08-2025 Heard Mr. Balgovind Sharma, learned counsel for the
petitioner as well as Mr. Ajay Kumar Jha, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Piprakothi P.S. Case No. 172 of 2023, F.I.R. dated 20.07.2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 427, 307, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other co-accused persons is said to have assaulted the informant and his sons.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the FIR that on account of some dispute related to land of



Madarsa, the present occurrence has taken place. He further submits that although the petitioner is named in the FIR but there is no specific allegation of any assault or overt act attributed against this petitioner rather there is general and omnibus allegation against all the known accused persons and more than 150 unknown accused persons in the FIR. It is further submitted that co-accused person, namely, Md. Mahmood Alam @ Mahmood Alam has been granted privilege of anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 03.10.2024 passed in Cr. Misc. No. 58944 of 2024 and co-accused persons, namely, Nasir Devan, Salim Javed, Akhtar Ali, Tabrez Alam and Gulnaz Khatoon have been granted privilege of anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 23.10.2024 passed in Cr. Misc. No. 64193 of 2024 and Cr. Misc. No. 65373 of 2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent, there is no specific allegation of any assault or overt act attributed against the petitioner and co-accused persons have been granted



privilege of anticipatory bail by a co-ordinate Bench of this Hon'ble Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Piprakothi P.S. Case No. 172 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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