

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60415 of 2025

Arising Out of PS. Case No.-44 Year-2016 Thana- TARAIIYA District- Saran

Chand Mohammad @ Chand Mohammad Miya S/O Diljan Miya R/O
Village- Pokhrera, P.S- Taraiya, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

4 14-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Tariya
P.S. Case No. 44 of 2016 instituted for the offences under
Sections 341, 323, 326, 307, 504/34 of the Indian Penal Code
and later on Section 302 of the Indian Penal Code was added.

3. Prosecution case, in short, is that the informant
alleges that accused persons assaulted her and her daughter,
poured kerosene on her, set her on fire, due to which she
received severe burn injuries and later on died.

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. He further submitted that there is no any independent witness to substantiate the claim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.10.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 01.08.2025 passed in Cr. Misc. No. 44831 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tariya P.S. Case No. 44 of 2016, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

