

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58642 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- GOPALPUR District- West Champaran

Einullah Miya @ Anullah Miyan @ Ainullan Miyan S/O Noor Miyan R/O
Village- Chhardwali, Police Station- Gopalpur, District- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504, 506, 379, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his son refused to cut the wheat of petitioner, hence while his son was going to market, he was intercepted by the accused persons including the petitioner and on order of petitioner, accused Alif assaulted his son on head causing injury, thereafter petitioner and Alif assaulted by bamboo on head, back, waist and chest of his son causing injury and Alif took Rs.1700/- from his pocket and accused fled considering him



dead.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that specific allegation of assaulting the son is against Alif and the petitioner has been made an accused by alleging that he was an order giver. It is also submitted that no doubt the petitioner is also alleged to have assaulted the son of the informant along with Alif but then the allegation of assault is not specific. It is next submitted that at Para-10 of the anticipatory bail application, it has been specifically pleaded that the injury suffered by the injured is simple in nature, which amply demonstrates that the allegation as alleged in the FIR was exaggerated. It is next submitted that on account of dispute relating to cutting of wheat by the son of the informant, an altercation had taken place, in which both side assaulted each other.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-
(Rupees Ten Thousand) 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 Gopalpur P.S.
Case No.45/2024, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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