IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68442 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- BAIRIYA District- West Champaran

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Estekhar Miyan @ Estakar Miyan @ Istakhar Miya Son of Wasir Miya @ Basir Miyan R/o Village - Siswa Saraiya, P.S. - Bairiya, Dist. - West Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Niraj Kr. Singh, Advocate
Mr. Sarvesh Kashyap, Advocate
Mr. Deepak Kumar, Advocate
Ms. Akansha Rai, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 12-12-2025 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Bairiya P.S. Case No. 101 of 2025, registered for the offences punishable under Sections 103(1), 74, 3(5) of the BNS.

3. As per the prosecution case, on 27.03.2025, at about 7:00 PM, the petitioner along with other co-accused persons entered the house of the deceased, through roof and began molesting her daughter. When he intervened, accused persons grabbed him, while the petitioner along with one co-accused person, Sahabuddin Miyan attacked him with a knife stabbing him four times in the chest. The deceased died during

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the treatment.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner is brother of co-accused Sahabuddin Miyan, who is the main accused in this case. Petitioner's name has been transpired merely because he is the brother of the main accused. He has also submitted that the petitioner is a person of clean antecedent and is under custody since 11.07.2025.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that co-accused Sahabuddin Miyan, along with the petitioner, inflicted knife blows on the person of the deceased and the postmortem report also corroborates the allegation against the petitioner.

6. Considering the above-mentioned facts and circumstances, in my view, the petitioner does not deserve privilege of bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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