

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69211 of 2025

Arising Out of PS. Case No.-248 Year-2024 Thana- SUGAULI District- East Champaran

1. Kohinoor Miyan @ Kainur @ Md. Kainur S/o Late Halim Miyan Resident of Village-Sugauli, Police Station- Sugauli, District-East Champaran
2. Bhola Miyan @ Md. Bhola S/o Late Halim Miyan Resident of Village-Sugauli, Police Station- Sugauli, District-East Champaran
3. Bholu Miyan @ Golu Miyan @ Md. Bholu S/o Late Halim Miyan Resident of Village-Sugauli, Police Station- Sugauli, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-09-2025 Heard the learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Sugauli P.S. Case No. 248 of 2024 registered for the offences under Sections 147, 149, 341, 323, 448, 325, 307, 354(B), 379, 504 of the I.P.C.

3. As per the prosecution case, the informant has alleged that all the accused persons named in the FIR including the petitioners came variously armed with lathy, danda and iron rod and thereafter forcibly started demanding passage to their house and on such demand, an altercation took place. It is



further alleged that accused Salman Miyan caught the hair of the informant and threw her on the ground, while others assaulted on her legs and even tore her blouse.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case due to village politics. It has been submitted by the learned counsel for the petitioner that there is no specific allegation against the petitioners. It has further been stated that the petitioners were granted bail by the learned Court below vide ABP No. 3014 of 2024, however, as the petitioners could not furnish bail bonds within the time granted by the learned Court below the order was not confirmed and the modification application filed thereafter for extension of time was dismissed by the learned Court below. It has lastly been submitted that the petitioners have clean antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Sugauli P.S. Case No. 248 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners



have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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