

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73440 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- RAJPUR District- Rohtas

Noushad Miyan @ Md. Noushad, S/O Idu Miyan @ Idu Chudihar, Resident of Village and P.O. and P.S.- Rajpur, Dist.- Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhairaw Nand Sharma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-11-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rajpur P.S. Case No. 84 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The informant alleged that there was a quarrel between the husband of the informant and the petitioner six months ago and later on her husband was sent to judicial custody. It is further alleged that two days before, the petitioner and co-accused Azad Miyan threatened her husband to kill him. On the fateful day, while the husband of the informant going to Dehri, in the meanwhile, all the accused persons, including the petitioner, surrounded him and co-accused Azad Miyan gave several dagger blow, due to which he received serious injury.



The petitioner fled away from the place of occurrence.

4. Learned Advocate for the petitioner referring to the F.I.R. contended that there is specific allegation of causing dagger blow against the co-accused Azad Miyan. Only on account of previous enmity and the petitioner, being brother of Azad Miyan, his name has been implicated in this case. It is further contended that earlier the husband of the informant brutally assaulted the petitioner, for which the mother of the petitioner lodged Rajpur P.S. Case No. 195 of 2024 and in the said case the husband of the informant was taken to judicial custody, thus a suspicion has been raised about the complicity of the petitioner in the crime. The informant is not an eye witness to the alleged occurrence. The petitioner though bears two criminal antecedent, however, he is on bail in both the cases.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering no specific allegation levelled against the petitioner, coupled with the previous enmity and the injuries, which have been found upon the abdomen of the informant's husband, and especially attributed against co-accused Azad Miyan, let the petitioner, named above, in the event of his arrest or



surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Rajpur P.S. Case No. 84 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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