

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75570 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- Bhelahi District- East Champaran

Javed Miyan S/O Sohrab Dewan Resident of Village- Musharwa, P.S-
Bhelahi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-11-2025 1. Heard learned counsel for the petitioner, Mr.
Hemant Ray and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 317(2),
317(4), 317(5) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that an information was received that unknown accused are
indulging in trade of bones, the informant along with the force
reached the place of occurrence and apprehended 7 accused
persons along with 150 sacks filled with animal bones loaded on
a tractor, thus, alleges that apprehended accused were involved
in illegal trade of animal bones.

4. Learned counsel for the petitioner submits that



from perusal of the FIR, it would manifest that 7 accused persons were arrested who disclosed their names as recorded in the FIR and said that apart from them 8-10 unknown accused are also involved in the illegal trade of animal bones, but then the name of the petitioner was not disclosed by any of the apprehended accused, as such, petitioner is not named as an accused in the FIR. It is next submitted that when the apprehended accused did not disclose the name of the petitioner, as such, it appears that subsequently during the course of investigation, the petitioner came to be implicated, since he has antecedent of one case. It is next submitted that had the petitioner been involved in the occurrence, in that event the apprehended accused would have named him, but that is not the case. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/-



(Rupees Twenty Five 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 Bhelahi P.S. Case No. 25 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. One of the bailors of the petitioner shall be his father namely Sohrab Dewan.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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