

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75626 of 2025

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

Basir Miyan @ Wasir Miya @ Basir Mian S/O Late Dhul Miyan @ Late
Ghuil Miya R/O Village- Siswa Saraiya, Ward No. 12, P.S- Bairiya, Distt.-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sarvesh Kashyap, Advocate
For the State : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103(1), 74 and 3(5) of the
B.N.S..

3. As per prosecution case, it is alleged that on
27.03.2025, all the F.I.R. named accused persons, including this
petitioner, forcibly entered into house of informant and molested
the niece of informant. It is further alleged that when brother of
informant went to save her, co-accused Sahabuddin Miyan and
Ishtkhaar Miyan attacked on him with knife as a result of which,
during course of treatment, he died.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of inflicting knife blow is against co-accused Sahabuddin Miyan and Ishtkhaar Miyan. Petitioner is only named in the F.I.R. and no specific accusation of overt act has been alleged against him. Petitioner has got no criminal antecedents and he is in custody since 02.09.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 101 of 2025.

(Prabhat Kumar Singh, J)

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