

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5133 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- ARERAJ District- East Champaran

1. Munna Miya Sher Miyan R/o Village - Areraj, Ward no. 9, P.S. - Areraj, Dist. - East Champaran, Motihari.
2. Sher Miya Son of Late Mishri Miyan R/o Village - Areraj, Ward no. 9, P.S. - Areraj, Dist. - East Champaran, Motihari.
3. Raja Miya Son of Munna Miyan R/o Village - Areraj, Ward no. 9, P.S. - Areraj, Dist. - East Champaran, Motihari.
4. Shahid Miyan Son of Rafi Miya R/o Village - Areraj, Ward no. 3, P.S. - Areraj, Dist. - East Champaran, Motihari.
5. Salauddin Miya Son of Bhuti Miya R/o Village - Areraj, Ward no. 3, P.S. - Areraj, Dist. - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 141(2), 191(3), 190, 303(2), 126(2), 115(2), 196, 299, 352, 351(2), 3(5) BNS & Sections 37 of Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 19.06.2025 at about 10.30 PM, all the accused



persons came to her house and assaulted her and her family members in an intoxicated state and also threw bricks from the roof and petitioners snatched the chain of the informant's son and dragged him on the floor.

4. Learned counsel submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners and informant are neighbour and on account of dispute relating to passage, an altercation had taken place in which both sides assaulted each other but then no injury was suffered and a false case came to be instituted alleging that petitioners were in an intoxicated condition.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) each 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 Areraj P.S. Case No.137/2025, subject to the conditions as laid



down under Section 482(2) of the B.N.S.S.

7. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioners are persons with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, the learned counsel for the petitioners, based on instruction, undertakes to deposit an amount of Rs.2500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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