

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12517 of 2026

Arising Out of PS. Case No.-139 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Darse Miyan Son of Late Mushlim Miyan @ Muslim Miyan Resident of
Village- Gobari, Ward No. 2, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is apprehending arrest in connection
with Turkauliya (Banjariya) P.S. Case No. 139 of 2024, dated
24.02.2024, lodged under Sections 341, 323, 307, 324, 504 and
34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged
against four named accused persons, including the present
petitioner. The allegation against the accused persons is that
they assaulted the informant and his nephew, due to which
injuries have been sustained and the informant was admitted to
Sadar Hospital.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that the criminal antecedent of the petitioner is



clean and the petitioner's side and the informant's side are residents of the same village, and on a petty issue, a dispute has arisen between the parties. Counsel further submits that, relating to the dispute, the parties have entered into a compromise and filed an application before the Chief Judicial Magistrate, Motihari, East Champaran. Counsel also submits that out of four accused persons, three accused persons have already been granted bail by the 13th Additional District and Sessions Judge, East Champaran, Motihari itself.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the record, it transpires that both the petitioner's side and the informant's side are residents of the same village and have subsequently entered into a compromise.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M.-VI, Motihari, East Champaran, in connection with Turkauliya (Banjariya) P.S. Case No. 139 of



2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 with further condition/s:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the Trial Court is hereby directed to verify the criminal antecedent of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of the petitioner's bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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