

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31086 of 2026

Arising Out of PS. Case No.-62 Year-2024 Thana- DARPA District- East Champaran

Jakir Miyan, Son of Wakil Miyan, Resident of Village -Belahiya P.S.- Darpa District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner apprehending his arrest in connection with Darpa P.S. Case No. 62 of 2024 registered for the offences punishable under Sections 147, 149, 341, 323, 354B, 324, 325, 307, 379, 504, 506 of the IPC.

3. As per FIR, petitioner alleged to assault the informant and family members by using *iron rod, lathi* etc. causing head and bodily injuries and also alleged to outrage the modesty of family member of the informant. It is alleged that assault was made with intention to cause death to the



injured. It is also alleged that the occurrence took place due to neighbourhood disputes and differences.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the allegation of physical assault is not attributed to petitioner. It is pointed out that in fact the occurrence was free fight in nature, where the petitioner alleged to outrage the modesty of one of the female family member of the informant, which is not appears convincing in view of occurrence, moreover, police after investigation submitted closure report against the petitioner but by taking different note, without assigning reason, the learned Jurisdictional Magistrate took cognizance against this petitioner. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as the allegation of assault *prima facie* not appears available against petitioner, where police after investigation submitted charge-sheet *qua* petitioner, accordingly, above named petitioner, who is a man of clean antecedent, in the event of his arrest or surrender before the



learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st, Class, Motihari, East Champaran/concerned Court, where the case is pending in connection with Darpa P.S. Case No. 62 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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