

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26847 of 2026

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

1. Ali Akhtar Miyan S/O Wakil Miyan Resident of Village- Belahiya, P.S.- Darpa, District- East Champaran
2. Jabir Miyan S/O Wakil Miyan Resident of Village- Belahiya, P.S.- Darpa, District- East Champaran
3. Munna Miyan S/O Wakil Miyan Resident of Village- Belahiya, P.S.- Darpa, District- East Champaran
4. Shami Akhtar Miyan @ Shami AKhtar S/O Wakil Miyan Resident of Village- Belahiya, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. 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 DR. ANSHUMAN
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Darpa P.S. Case No. 62 of 2024 lodged on 24.04.2024, for the offence punishable under Sections 147, 149, 341, 323, 354(B), 324, 325, 307, 379, 504 & 506 of the Indian Penal Code, pending in the Court of J.M. 1st Class, Motihari, East Champaran,.

3. As per the prosecution, FIR has been lodged against 14 named accused persons including the present petitioners with



allegation that they have entered in the house of the informant armed with weapon and assaulted the informant's side and also tried to outrage the modesty of one Sabina Khatun. The accused persons also took away the personal belongings of the informant.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners' side and the informant's side are next door neighbours and with regard to drainage, the scuffling took place between them. He submits that there is general and omnibus allegation against the present petitioners. Counsel also submits that the petitioners were granted police bail, but the Magistrate has taken cognizance against the petitioners. Counsel further submits that the petitioners have clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners stand rejected.

7. However, if petitioners surrender before the concerned Trial Court within a period of 4 weeks from today



then in that case, the Trial Court is directed to pass order on their surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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