

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36052 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- SIRISIYA District- West Champaran

Mumtaj Miyan S/o Mustaquim Miyan Resident of village - Laxmipur, P.S -
Sirisiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner who apprehends arrest in connection
with Sirisiya P.S. Case No. 46 of 2026, lodged on 07.03.2026,
for the offences punishable under Sections 303(2)/62 of the
Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution, the F.I.R. has been lodged
against the petitioner with allegation that theft of buffalo of the
informant and the accused was identified by the wife of the
informant.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that the petitioner is the co-villager and due to the enmity his name has figured in this case and his antecedent is clean. Counsel further submits that the alleged buffalo, which was subject to theft is still with the informant. He submits that the petitioner is man of reputation and he is ready to fulfill all the conditions whatsoever shall be imposed.

6. Learned APP for the State, on the other hand, opposes the prayer for bail and submits that the accused petitioner has been identified by the wife of the informant and upon her noise, the buffalo of the informant has been thrown from the vehicle.

7. Considering the fact that the wife of the informant has identified the petitioner, this Court is not inclined to grant the anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby refused. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered on merit on the same day without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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