

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43594 of 2026

Arising Out of PS. Case No.-5 Year-2024 Thana- DARPA District- East Champaran

1. Sarfraj Alam Son of Abdul Gaffar Miyan @ Gaffar Miyan Resident of village - Islampur, P.S.- Raxaul, District - East Champaran
2. Sadre Alam Son of Abdul Gaffar Miyan @ Gaffar Miyan Resident of village - Islampur, P.S.- Raxaul, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 302, 201, 120B of the Indian Penal Code.

3. As per prosecution case, informant suspects that all the F.I.R. named accused persons committed murder of his father.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Petitioners are not named in the F.I.R. and they have falsely been implicated in this case merely on the basis of suspicion. There is no eye witness account of the alleged offence. During



investigation, no tangible evidence has come against these petitioners. As a matter of fact, deceased committed suicide and post-mortem report also disclosed the cause of death as Asphyxia due to hanging. Similarly situated co-accused, namely, Hafiz Alam has already been granted anticipatory bail by this Court *vide* order dated 10.02.2026 passed in Cr. Misc. No. 88803 of 2025.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and materials available on record, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Darpa P. S. Case No. 05 of 2024, subject to condition as laid down under Section 482(2) of the BNSS.

(Prabhat Kumar Singh, J)

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