

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46289 of 2026

Arising Out of PS. Case No.-408 Year-2026 Thana- SIKARPUR District- West Champaran

Akhtar Miyan @ Akhatar Miyan S/o Late Yusuf Miyan R/o Village -
Vishunpurva, PS - Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Umesh Kumar Gupta, learned counsel

appearing on behalf of the petitioner and Mr. Md. Aslam Ansari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Shikarpur P.S. Case No. 408 of 2026 registered for the
offence(s) punishable under Sections 126(2), 115(2), 118(2),
109(1), 303(2), 352, 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, all the
accused persons including the petitioner with an intention to
kill, assaulted the informant and his family members, causing
injuries.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. The injury sustained by the



informant and his father has been opined by the doctor to be simple in nature, whereas the injury sustained by grandfather of the informant near the wrist, is grievous in nature but the same is not on vital part of the body. Petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that the doctor has opined that the injuries sustained by the informant and his father are simple in nature, whereas, the injury sustained by the grandfather of the informant near his wrist is grievous injury, however, the same is not on vital part of the body. Petitioner has clean antecedent. In view of the above, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran / Concerned Court in connection with Shikarpur P.S. Case No. 408 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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