IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76240 of 2026

CNR No. BRHC011088862026

Arising Out of PS. Case No.-60 Year-2026 Thana- ARERAJ District- East Champaran

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1. Wakil miyan @ Vakil Miyan S/o Late Sadish Miyan @ Sadik Miya Resident of Village - banbirwa, P.S. - Kotwa, Dist. - East Champaran.
2. Jahur Miyan @ Jahur Miya S/o Late Sadish Miyan @ Sadik Miya Resident of village - banbirwa, P.S. - Kotwa, Dist. - East Champaran.
3. Saheb Hussain @ Saheb Hussain Miya S/o Late Woshiya Miyan @ Aosiyar Miyan @ Washiyar Miyan Resident of village - banbirwa, P.S. - Kotwa, Dist. - East Champaran.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Abhishek Kunal S/o Baleshwar Pathak Resident of Village - Dumariyaghat, P.S - Dumariyaghat, Dist. - East Champaran.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners apprehend arrest in connection with Areraj P.S. Case No. 60 of 2026 lodged on 07.03.2026, for the offence punishable under Sections 338, 336(3), 340(2), 318(4), 351(2) & 3(5) of the B.N.S., 2023, pending in the court of Additional Chief Judicial Magistrate-5, Motihari, East Champaran.

3. As per the prosecution case, FIR has been lodged

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against four named accused persons including the present petitioners. It has been alleged by the informant that all the accused persons in connivance with each other have fraudulently claimed his land and demanding ransom money and also threatened him for dire consequences.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the present case has been lodged with ulterior motive and petitioners have been falsely implicated in this case. He further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that as per the FIR, there is specific allegation against all the accused persons that they have fraudulently claimed the informant’s land and also threatened him.

6. In the present facts and circumstances of the case, 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 the petitioners entered into

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compromise with the informant then in that case the Trial Court after going through the joint compromise petition is directed to pass order on their surrender-cum-bail application on the same day, without being prejudiced by the fact that the anticipatory bail application of the petitioners has been rejected by this Court.

(Dr. Anshuman, J)

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