

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84269 of 2025

Arising Out of PS. Case No.-371 Year-2023 Thana- RIGA District- Sitamarhi

Bikau Miya S/o- Aamir Miya Village- Islampur PS- Riga Dist - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate
For the State : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, all 5 F.I.R. named accused persons, including this petitioner, called the son of informant and took him towards *Janki Mandir* and thereafter, dead body of son of informant was found near the railway line. Informant suspects that all the F.I.R. named accused persons, including this petitioner, killed his son and threw his dead body near the railway track.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



From bare perusal of the F.I.R. it is apparent that informant is not an eye witness to the alleged occurrence. At best, it is a case of last seen with the deceased. During investigation, no material has come to show the complicity of this petitioner in the alleged occurrence. As a matter of fact, the deceased died in a train accident and petitioner has falsely been implicated in this case merely on suspicion. It is further submitted that till date, trial has not been concluded. Moreover, co-accused Seraj, having similar and identical allegations, has already been granted bail by this Hon'ble Court vide order dated 30.01.2026 passed in *Cr. Misc. No. 68203 of 2025*. Charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 06.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.-VI, Sitamarhi in connection
with Riga P.S. Case No. 371 of 2023.

(Prabhat Kumar Singh, J)

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