

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83294 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- SIKARPUR District- West Champaran

Najarul Miyan @ Chhotu Miyan S/o Harun Miyan Resident of Village-
Jaimagalapur, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Ajay Kr Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 569/2025 arising out of Shikarpur P.S. Case No. 121 of 2025, registered for the offences under Sections 103(1), 238, 3(5) of the BNS.

3. As per the prosecution case, the daughter of the informant was married with the petitioner and there is allegation that petitioner and other coaccused persons used to assault and torture the daughter of the informant and they have been demanding a bullet motorcycle and Rs. 1 lakh in cash. Subsequently, the informant received intimation about death of his daughter in a motor accident. The informant alleged that the petitioner and other co-accused persons abused and assaulted his



daughter and killed her and in order to conceal the evidence, they put the dead body on the road to make a case for accident.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Admittedly the marriage took place more than seven years ago and for this reason there could be no case of dowry death. Moreover allegation of demand of bullet motorcycle and Rs. 1 lakh cash after seven years of marriage is not believable. Learned counsel for the petitioner submits that on the alleged date of occurrence, the petitioner was not even present at the home rather he has gone outside to earn his livelihood and only after coming to know about death of his wife, he returned. Learned counsel further submits that true fact of the case is that the deceased committed suicide as she was a rancorous lady and on being scolded by her relatives, she hanged herself to death. There is no cogent or substantive material against the petitioner to show his involvement and post mortem report also shows death occurred due to Asphyxia due to hanging. The petitioner is in custody since 03.02.2025 and charge sheet has been submitted. The petitioner has clean antecedent.

5. Learned APP appearing for the State opposes the



submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the possibility of victim committing suicide and also considering submission of charge sheet against the petitioner and his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-13, Bettiah, West Champaran/concerned court, in connection with Sessions Trial No. 569/2025 arising out of Shikarpur P.S. Case No. 121 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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