

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2051 of 2026

Arising Out of PS. Case No.-458 Year-2022 Thana- SUGAULI District- East Champaran

Ekbal Miya, S/o Late Lal Mohammad Miya, R/o Village-Hata, P.O.-
Raghunathpur Bazar, P.S.- Sugauli, Dist.- East Champaran (Bihar).

... .. Petitioner

Versus

1. The State of Bihar
2. XXX, S/o XYZ, R/o village-Hata, P.O.-Raghunathpur Bazar, P.S.-Sugauli,
District- East Champaran.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Sugauli P.S. Case No.458 of 2022 registered under Sections 341, 323, 363, 366-A, 504 read with 34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

3. As per FIR, the petitioner along with other co-accused persons assaulted the informant and his daughter and kidnapped his minor daughter for the purpose of marriage.



4. It is submitted by learned counsel appearing for petitioner that the petitioner has been falsely implicated in this case being the father of main co-accused Arman Miyan against which, the allegation is specifically available. It is submitted that similarly situated co-accused persons namely, Allima Khatoon @ Akhalima Begam and Inshaf Miyan @ Insaf Alam, who are wife and son of petitioner, has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.20610 of 2023 dated 28.06.2023. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking of fact as petitioner has been implicated with present case being father of main co-accused Arman Miyan, where similarly situated co-accused has already granted bail, as submitted aforesaid, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned 6th District and Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, Motihari, East Champaran in connection with Sugauli P.S. Case No.458 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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