IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.002174/2026
[ARISING OUT OF SPECIAL LEAVE PETITION (CRL.) NO.3057/2026]

HAKIM MIYAN APPELLANT(S)

VERSUS

THE STATE OF BIHAR RESPONDENT(S)

O R D E R

1. Leave granted.

2. Heard learned counsel for the parties.

3. This appeal arises from an order dated 18.12.2025 passed by the High Court of Judicature at Patna rejecting the bail prayer of the appellant in connection with First Information Report (FIR) No.5123034240643/2024 registered at P.S. Mashrakh, District Saran, Bihar.

4. The submission of the learned counsel for the appellant is that in all there are eight

Signature Not Verified
Digitally signed by KAVITA PAHUJA
Date: 2026.04.28 15:01:52 IST
Reason:

accused including the appellant. The FIR was lodged nine days after the incident. The role attributed to the appellant is of hitting the deceased with a stone. It has been submitted that some of the accused are absconding and there is no likelihood of trial being concluded in near future. It has also been submitted that the appellant has been falsely implicated.

5. The Learned counsel for the State has submitted that the appellant has one previous criminal antecedent of the year 2012. However, he does not dispute that FIR was lodged with a delay of nine days.

6. Having regard to the above, without expressing any opinion on the merits of the case, we are of the view that the appellant is entitled to be released on bail, pending trial.

7. The appeal is, accordingly, allowed. The order passed by the High Court rejecting the bail prayer of the appellant is set aside.

8. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and

circumstances of the case.

9. Pending application(s), if any, shall stand disposed of.

……J
[MANOJ MISRA]

……J
[MANMOHAN]

New Delhi
April 27, 2026

ITEM NO.7 COURT NO.14 SECTION II-A

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No. 3057/2026

[Arising out of impugned final judgment and order dated 18-12-2025 in CRLMI No. 85832/2025 passed by the High Court of Judicature at Patna]

HAKIM MIYAN Petitioner(s)

VERSUS

THE STATE OF BIHAR Respondent(s)

FOR ADMISSION
IA No. 54301/2026 - EXEMPTION FROM FILING O.T.

Date : 27-04-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :
Mr. Shantanu Sagar, AOR
Mr. Gunjesh Ranjan, Adv.
Mr. Prakash Kumar Mangalam, Adv.
Mr. Abhishek Kumar Gupta, Adv.

For Respondent(s) :
Mr. Azmat Hayat Amanullah, AOR
Ms. Rebecca Mishra, Adv.
Mr. Sagar Chauhan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.

2. The appeal is allowed in terms of the signed order which is placed on the file. The operative portion of the signed order is as under:

> "7. The appeal is, accordingly, allowed. The order passed by the High Court rejecting the bail prayer of the appellant is set aside.
>
> 8. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case."

3. Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)