

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12161 of 2025

Arising Out of PS. Case No.-591 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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1. Virendra Kushwaha @ Virendra Prasad Kushwaha @ Virendra Prasad S/O Shiv Prasad Kushwaha R/O Village-Bairiya Dih, P.S.- Harsidhi, District- East Champaran, At Present Residing At Mohalla- Chandmari, Near Durga Mandir, Motihari, Ward No. 25, P.S. Motihari Town, District- East Champaran.
 2. Omkar Kumar S/O Virendra Kushwaha @ Virendra Prasad Kushwaha @ Virendra Prasad R/O Village-Bairiya Dih, P.S.- Harsidhi, District- East Champaran, At Present Residing At Mohalla- Chandmari, Near Durga Mandir, Motihari, Ward No. 25, P.S. Motihari Town, District- East Champaran.
 3. Kundan Kumar Son of Hiralal Singh R/O Village-Bairiya Dih, P.S.- Harsidhi, District- East Champaran, At Present Residing At Mohalla- Chandmari, Near Durga Mandir, Motihari, Ward No. 25, P.S. Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Motihari Town P.S. Case No. 591 of 2024 instituted under Sections 191(2), 126(2), 115(2), 352, 118(1), 109, 117(2), 303(2), 351(2) and 191(3) of Bharatiya Nyaya Sanhita.

3. As per the prosecution case, on the alleged date and time of occurrence, all the FIR named accused persons



including these petitioners and 6 unknown persons armed with weapon came and started abusing to father-in-law of informant's sister on the trivial issue with respect to driving out the dog and when informant objected then all the accused persons assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to previous enmity. Further submission is that both the parties are neighbours and earlier two cases were lodged against the informant side by the petitioner nos. 1 and 2. The injuries on the injured are simple in nature except one injury which is on the ring finger. Petitioners have got clean antecedent and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the



satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 591 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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