

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16278 of 2025

Arising Out of PS. Case No.-233 Year-2022 Thana- RAMGARHWA District- East
Champaran

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1. Mohit Kumar @ Mohit Kumar Singh S/O Ranjeet Singh R/O Village- Mangalpur, Post- Patni, P.S- Ramgarhwa, Distt.- East Champaran.
 2. Nisha Devi W/O Mitendra Kumar Singh R/O Village- Mangalpur Ward No. 08, Post- Patni, P.S- Ramgarhwa, Distt.- East Champaran.
 3. Khushboo Devi W/O Dharendra Kumar R/O Village- Mangalpur Ward No. 08, Post- Patni, P.S- Ramgarhwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 341,323,324,307 and 504/34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and have been
falsely implicated in the instant case by the informant. It is next
submitted that police after threadbare investigation, came to a
considered conclusion that petitioners are innocent and thus,
submitted final form exonerating them of the allegations, but



then, the learned Magistrate differing with the police report, took cognizance, as such, the petitioners apprehend their arrested.

4. The learned counsel for the petitioners submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari in connection with Trial No.1526 of 2024 arising out of Ramgarhwa P. S. Case No.233 of 2022, subject to the conditions laid down under



Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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