

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14957 of 2025

Arising Out of PS. Case No.-76 Year-2019 Thana- KOTWA District- East Champaran

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1. Ram Pravesh Mukhiya S/o Deeplal Mukhiya Resident of Village- Kalyanpur Khash, P.S- Kotwa, District- East Champaran.
 2. Sevak Mukhiya S/o Late Ram Dev Mukhiya Resident of Village- Kalyanpur Khash, P.S- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Anand, Advocate.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 03-09-2025 Heard Mr. Atul Anand, learned counsel appearing on behalf of the petitioners and Mr. Ram Sumiran Rai, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Kotwa P.S. Case No. 76 of 2019 registered for the offence punishable under Sections 341, 323, 324, 307, 354(B) and 504/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners along with other co-accused with a common intention to kill assaulted the informant causing injury.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they



have committed no offence as alleged. The allegation levelled against the petitioners is not supported by the evidence which has been collected in course of investigation. There is case and counter case arising out of the same incidence. The petitioners in their self defence may have caused some injury on the person of the informant without any intention. As per the injury report, doctor has opined that the injuries are simple in nature. Petitioners have clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties and the fact that there is case and counter case between the parties arising out of the same incidence and the petitioners in their self defence may have caused some injury on the person of the informant without any intention, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Kotwa P.S. Case No. 76 of 2019, subject to the condition as laid



down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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