

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25679 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

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1. Om Prakash Sah, (Male), aged about 43 years, Son of Ram Vilash Sah, Resident of Village-Ishanath Nagarpalika-1, Banjarha, Rautahat, Nepal, Kundwa Chainpur, Police Station - Motihari
 2. Amarjeet Sah, (Male), aged about 35 years, Son of Ram Ekbal Sah, Resident of Village-Ishanath Nagarpalika-1, Banjarha, Rautahat, Nepal, Kundwa Chainpur, Police Station - Motihari
 3. Farhad Khan, (Male), aged about 40 years, Son of Bhaujali Khan, Resident of Village-Ishanath Nagarpalika-1, Banjarha, Rautahat, Nepal, Kundwa Chainpur, Police Station - Motihari
 4. Sahjad, (Male), aged about 30 years, Son of Jakir, Resident of Village - Balua, Police Station - Kundwa Chainpur, District - East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajan, Advocate
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kundwa Chainpur P.S. Case No. 148 of 2024 dated 02.10.2024 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 132, 223, 303(2) and 352 of the B.N.S., 2023.

3. As per the prosecution case, the petitioners and the



other co-accused persons are alleged to have created hindrance in the official duty of SSB personnel and they also attacked them with lathi and danda, due to which, they sustained injuries. It is further alleged that the accused persons took away the recovered liquor and the motorcycle to Nepal.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioners. It is further submitted that no one saw who was driving the said motorcycle loaded with bags. There is no specific allegation against the petitioners. The injury no. 1 is simple in nature whereas opinion about injury no. 2 is reserved. The name of the petitioners has transpired only on the basis of suspicion. It is further submitted that other co-accused person, Lal Babu, has already been granted regular bail by a Bench of this Court in Cr. Misc. No. 4274 of 2025 vide order dated 25.02.2025. The petitioner no. 1 has one criminal antecedent and the petitioner nos. 2 to 4 have clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Sikrahna at Dhaka, East Champaran, Motihari in connection with Kundwa Chainpur P.S. Case No. 148 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S, 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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