

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26395 of 2025

Arising Out of PS. Case No.-34 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Pawan Prasad @ Pawan Kumar son of Krishnalal Prasad Village- Machhahan
Utarwari Tola, PS -Muffasil Motihari, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26523 of 2025

Arising Out of PS. Case No.-34 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Krishna Manjhi @ Krishna Majhi S/o Sundar Majhi @ Surendra Majhi R/o
Village- Machhahan, Mushahari Tola, P.S.- Muffasil, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26395 of 2025)

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 26523 of 2025)

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-07-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. The petitioners seek bail in connection with
Piprakothi P.S. Case No. 34 of 2023, instituted for the offences
punishable under Sections 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioners



took brother of the informant with them on a motorcycle and later on they assaulted him and threw his body at the bank of a river and he died in course of treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that there is delay of six days in lodging the FIR. As per post-mortem report, no external injury was found on the body of the deceased. It is further submitted that there is no eye witness to the said occurrence and no direct allegation of committing of informant's brother has been levelled against the petitioners.

5. In Cr. Misc. No. 26395 of 2025, the petitioner is in custody since 20.01.2025 and has got no criminal antecedent whereas in Cr. Misc. No. 26523 of 2025, the petitioner is in custody since 25.01.2025 and has got no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody



undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Piprakothi P.S. Case No. 34 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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