

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56032 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- PATAHI District- East Champaran

1. Nagendra Thakur @ Nagendra Sharma S/o Kamal Thakur R/o Village - Pansalwa, P.S - Patahi, District - East Champaran
2. Avinash Kumar Thakur @ Avinash Kumar S/o Nagendra Thakur R/o Village - Pansalwa, P.S - Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Patahi P.S. Case No. 295 of 2024 lodged on 21.11.2024, for the offence punishable under Sections 223, 326(g), 324(4), 191(2), 191(3) & 190 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons (including the present petitioners) and 10-15 unknown persons. It has been alleged in the FIR that on the date of the alleged occurrence, one Ankush Kumar was



hit by a Scorpio vehicle, due to which he died on the spot. Thereafter, the accused persons, along with 10–15 unknown individuals, set the said Scorpio vehicle on fire. Subsequently, the fire brigade arrived and extinguished the fire.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners were passer by and the alleged incident took place by the public at large and there is nothing specific against the present petitioners and no act or overt act is against them. Counsel further submits that the petitioners have one criminal antecedent in which they are on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that there is no specific allegation against the present petitioners save and except their names are there in the FIR.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the



satisfaction of Chief Judicial Magistrate, Motihari, East
Champan, in connection with Patahi P.S. Case No. 295 of
2024, subject to the conditions as laid down U/s 482(2) of the
B.N.S.S., 2023.

(Dr. Anshuman, J)

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