

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89558 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1. Kamal Kishor Rai @ Kamal Kishor Kumar S/O Chini Ray R/O Village-Saraiya, P.O- Dhekaha Bazar, P.S- Piprakothi, Distt.- East Champaran, Bihar- 845417.
2. Awadh Kishor Rai @ Awadh Kishor Kumar S/O Mishri Ray R/O Village-Saraiya, P.O- Dhekaha Bazar, P.S- Piprakothi, Distt.- East Champaran, Bihar- 845417.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohd Rustam Hussain, Adv.
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Piprakothi P. S. Case No. 178 of 2024 dated 24-08-2024
instituted for the offence punishable under Sections 126(2), 115,
109, 74, 303(2) and 3(5) of the Bharatiya Nyaya Sahitha 2023 .

3. As per prosecution case, the petitioners along with
other accused persons were committing loot- pat in the house of
the informant and when the informant's son made objection,
petitioners and others accused persons assaulted the informant's
wife, sons and daughter.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case. It is submitted that both the parties are agnates. There is a case and counter case between the parties. Counter case being Piprakothi P.S. case no. 186 of 2024 has been lodged by the petitioner, namely, Kamal Kishor Kumar against the informant of the instant case for the the same occurrence. Civil dispute is going on between the parties. It is also submitted that the informant and the petitioners filed a joint compromise petition before the learned court of Judicial Magistrate, Ist Class Motihari, East Champaran seeking permission of the court to compromise the case outside the Court. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, East Champaran, Motihari, Bihar, in Piprakothi P. S. Case No. 178 of 2024, subject to the conditions



laid down in Section 438(2) of the Code of Criminal Procedure,
1973.

7. The application stands allowed.

(Khatim Reza, J)

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