

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31321 of 2026

Arising Out of PS. Case No.-420 Year-2025 Thana- KOTWA District- East Champaran

1. Ashique Raja @ Iddu Hussain S/O Nashrullah Resident Of Village-
Gadhwa, Khajuriya, P.s.- Kotwa, Dist.- East Champaran
2. Asif Ekbal S/O Hajrat Ali Resident Of Village- Dipaau, P.s.- Kotwa, Dist.-
East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Kotwa P.S. Case No. 420 of 2025 registered for the offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109(1), 132, 121(1), 121(2), 285, 326(b), 333, 324(4), 326(f), 351(2) and 352 of the B.N.S. and section 8(B) of the National Highways Act lodged on 30.11.2025 by the informant, Pratyush Kumar Vicky.

3. As per the prosecution story, the informant alleged that on receiving rumour about major accident as also casualty, the people assembled there and when the Police personnel reached the place, found five dead bodies. As they wanted to



take the bodies to the Sadar Hospital, Motihari, those present not only provoked the people and created chaos, they also attacked the Police Personnel causing injury to them. Later they put the vehicles on fire, 43 named people were identified beside unknowns which followed the F.I.R.

4. Learned counsel for the petitioner submits that they have no role to play in the matter, only because of curiosity, were present there and got implicated. Further, none have criminal antecedent. Last submission is that without accepting the allegation or outcome of the petition the petitioners intend to pay Rs.2,500/- each (totaling Rs.5,000/-) by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer submitting that instead of cooperating the Police, they resorted to brick bat.

6. Considering the submissions of the parties as also that around 250 unknown persons were there, no specific role has been assigned to the petitioner, they do not have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.2,500/- each (totaling Rs.5,000/-) by Demand Draft issued by the local branch of the State Bank of India/any Nationalized



Bank to the Chief Minister's Relief Fund to be submitted at the time of execution of bail bond before the concerned court.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class Sadar, Motihari, East Champaran, in connection with Kotwa P.S. Case No. 420 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every month for next six months to mark his



attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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