

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39693 of 2026

Arising Out of PS. Case No.-197 Year-2026 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Pravej Dewan @ Pravej Sah Son of Mushlim Dewan @ Mushlim Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.
 2. Sabanam Khatoon @ Sabnam Begam wife of Pravej dewan @ Pravej Sah Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.
 3. Mushlim Dewan Son of Late Eshu Dewan Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.
 4. Kamru Nesha @ Kamrun Nisha Awani wife of Mushlim Dewan Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.
 5. Reyaz Dewan @ Seraj Sah Son of Abash Dewan @ Jalaluddin Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.
 6. Nsir Dewan Son of Eshrial Dewan Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.
 7. Naushad Dewan Son of Karmuddin Dewan Resident of Village - Kataha Loknathpur, Ward no. 14, P.S. Muffasil, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP



CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-06-2026 At the outset, learned counsel for the petitioners seek permission to withdraw the pre-arrest bail petition of petitioner nos. 1, 3 and 6.

2. Permission is accorded.

3. This bail petition with respect to petitioner nos. 1, 3 and 6 is dismissed as withdrawn.

4. Heard learned counsel for the petitioner nos. 2, 4, 5 and 7 and the State .

5.. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 126 (2), 115 (2), 118(1), 109, 74, 352, 303 (2) and 3 (5) of BNS.

6. The case of the prosecution, in brief, is that on 21.03.2026 at about 5:00 PM, all named accused persons, including the petitioners, arrived at the informant Nashima Khatoon's doorstep and began abusing her. Upon her objection, accused Reyaz Dewan allegedly inflicted a knife blow causing a cut injury to her face, while both Reyaz and Pravej Dewan tore her clothes, and Reyaz snatched a gold locket valued at ₹60,000/- from her neck. Furthermore, when the informant's brother-in-law intervened, accused Pravej Dewan reportedly struck him on the head with an iron rod, and as her husband and



sister-in-law rushed to rescue them, all the accused persons jointly assaulted them, leading to the registration of the present FIR.

7. It is submitted on behalf of the petitioners that learned counsel for the petitioner submits that on account of land dispute maarpit took place in between the parties in which both sides inflicted injuries on each other. Case and counter case. Allegation of assault is general and omnibus against this petitioner. Petitioners claim clean antecedent.

8. Learned counsel for the State opposed the bail petition and submitted that there is specific allegation of assault against petitioner no. 5 (Reyaz Dewan @ Seraj Sah) who stabbed informant with knife.

9. Considering the nature of accusation, materials available on record and other circumstances of the case, prayer for pre-arrest bail with respect to petitioner no. 5 is rejected.

10. Considering the backdrop of the case, clean antecedent of these petitioner nos. 2, 4 and 7 and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner nos. 2, 4 and 7, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned C.J.M., Motihari,
East Champaran, in connection with Muffasil P.S. Case No. 197
of 2026 , subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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