

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41616 of 2026

Arising Out of PS. Case No.-141 Year-2026 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Sita Devi Wife of Krishna Prasad Resident of Village- Bathrauliya, P.S.-
Muffasil Motihari, District- East Champaran, Motihari.
 2. Akhilesh Kumar Son of Bhaira Prasad Resident of Village- Bathrauliya,
P.S.- Muffasil Motihari, District- East Champaran, Motihari.
 3. Krishna Prasad Son of Mangal Prasad Resident of Village- Bathrauliya, P.S.-
Muffasil Motihari, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitionerS and learned
APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in connection with Muffasil P.S. Case No. 141 of 2026
instituted for the offences punishable under Sections 126(2),
118(1), 115(2), 109, 353, 351(2) and 3(5) of the Bharatiya
Nyaya Sanhita.

3. As per the prosecution case, the allegation against
the petitioners is that they have all assaulted the informant and
even misbehaved with her.

4. Learned counsel for the petitioners submits that the



petitioners have falsely been implicated in this case with general and omnibus allegations. The injuries which is said to have been caused with an iron rod was found to be simple in nature, which can be gathered from the impugned order. It has further been submitted that the present case has been lodged only because earlier the petitioner no. 1 had lodged a complaint case against the informant and only in order to settle personal score, the present false and concocted case has been lodged.

5. The petitioners no. 1 and 2 have no criminal antecedents, while petitioner no. 3 has one criminal antecedent.

6. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

7. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 141 of 2026, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a



close relative of the petitioners and the other shall be a local resident:

(ii) the petitioners will remain physically present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedents of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) If the petitioners, in future, are found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of their bail bonds.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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