

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46651 of 2026

Arising Out of PS. Case No.-911 Year-2009 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Purushottam Kumar Agrawal Son of Late Madan Lal Agrawal Resident of Village- Bhawanipur, P.S.- Bhawanipur, District- Purnea
 2. Sahdeo Mukhiya Son of Late Asarfi Mukhiya Resident of Village- Sorkahi, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Kumar Rajdeep, Advocate
		Mr. Saroj Kumar Choudhary, Advocate
For the Opposite Party/s :		Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-07-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 379 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioners along with others have assaulted the husband of the informant with *lathi*, *danda* and *tengari* due to which, he died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Learned counsel for the petitioners has submitted that an FIR was filed regarding this occurrence. After investigation, police has submitted final form. Against that final form, a protest was filed and learned trial court has taken cognizance on the basis of protest. This case is based on protest. Learned counsel has submitted that there is also a counter version of this case and from both side, one person each has died. From perusal of the Protest Petition, it is clear that the nature of allegation is general and omnibus. There is no specific allegation against the petitioners. He has further submitted that as police has filed final form, the petitioners have no knowledge regarding the summon, that is why, the delay has been occurred. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 16.06.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioners are directed to be released on bail in connection with Protest Cum C.A. Case No. 911 of 2009 arising out of



Bhawanipur P.S. Case No. 99 of 2006 on furnishing bail bond
of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned ADJ-II, Purnea.

(Ashok Kumar Pandey, J)

Sneha/-

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