

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45494 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Khushal Kumar S/O Khedu Roy Resident of Village- Santpur, Post- Laxmipur
Motihari, PS- Raghunathpur, Distt-East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Ranjan, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 21-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Mufassil (Motihari) P.S. Case No. 428/2024 registered for
the offence(s) punishable under Sections 310(2) of the BNS.

3. As per the allegation made in the FIR, some
unknown persons assaulted and robbed the informant and fled
away leaving behind a motorcycle and a weapon.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in the present case. Nothing
incriminating has been recovered from the possession of the
petitioner rather petitioner's name has surfaced in the present



case on the confessional statement of the co-accused Tribhuwan Kumar. The petitioner is having clean antecedent. On these grounds the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and the fact that nothing incriminating has been recovered from the possession of the petitioner rather petitioner's name has surfaced in the present case on the confessional statement of the co-accused namely Tribhuwan Kumar. The petitioner is having clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Mufassil (Motihari) P.S. Case No. 428/2024, subject to the conditions as laid down under Section 482(2) of



the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Ashishsingh/-

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