IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74924 of 2026

CNR No. BRHC011047982026

Arising Out of PS. Case No.-173 Year-2026 Thana- Gadhiya Bazar District- East Champaran

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1. Suben Kumar @ Suyen Kumar, age about 18 years, Male, S/o Achhelal Sahani
2. Aman Kumar, age about 19 years, Male, S/o Surendra Sahani
Both are Resident of Village- Semra, P.S.- Garahiya Bazar, Dist.- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms.Kumari Muskan, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 04-11-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Garahiya Bazar @ Gadahiya Bazar P.S. Case No. 173 of 2026 registered for the offence(s) punishable under Sections 126(1),115(2),118(1),109(1),303(2),352,351(2),351(3) and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioners along with co-accused Aman Kumar and Paeveen Kumar allegedly snatched money and mobile from the informant and they also assaulted him, causing injury.

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4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent. Allegation appears to be false and fabricated. Specific allegation of assaulting the informant is against co-accused Aman Kumar and Praveen Kumar. Allegation against the petitioners is ornamental in nature that they have allegedly snatched money and mobile from the informant. Petitioners have clean antecedents. On these grounds, the petitioners seek 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 heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that Specific allegation of assaulting the informant is against co-accused Aman Kumar and Praveen Kumar, causing injury. Allegation against the petitioners is of snatching money and mobile from the informant without any evidence. Petitioners no.1 and 2, who are 18 and 19 years respectively, have clean antecedents. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or

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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 Chief Judicial Magistrate, Motihari, East Champaran / Concerned Court in connection with Gadahiya Bazar P.S. Case No. 173 of 2026, 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 petitioners and if it is found that the petitioners are 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)

Sanjay/-

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