IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76848 of 2026

CNR No. BRHC011095722026

Arising Out of PS. Case No.-24 Year-2025 Thana- CHHATAUNI District- East Champaran

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1. Mukhtar Prasad Gupta S/O Ramlal Sah R/O Village-Gariba, P.S.- Kalyanpur, Distt.- East Champaran.
2. Ankush Kumar Singh S/O Binod Singh R/O Village-Gariba, P.S.- Kalyanpur, Distt.- East Champaran.
3. Bittu Dubey @ Avinash Kumar S/O Shambhunath Devedi R/O Village-Siswa Kharar, P.S.- Kalyanpur, Dist.- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 04-11-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chhatauni P.S. Case No.24 of 2025, F.I.R dated 12.01.2025 registered for the offences punishable under Sections 189(2), 189(3), 191(2), 190, 285, 126(2), 326(b), 109 and 61(2) of the Indian Penal Code / Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 12.01.2025, at around 11:15 A.M., BPSC candidates unlawfully assembled near Bada Bariyarpur Bypass Chowk on NH-28, East

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Champaran, and blocked the highway by burning tyres, thereby disrupting vehicular traffic and causing inconvenience to the public, including ambulances and essential goods carriers. Despite police intervention, the accused initially refused to remove the blockade. Subsequently, the blockade was cleared, and 13 named persons along with 40–50 unidentified persons were alleged to have participated in the incident.

4. Learned counsel for the petitioners, referring to the allegations levelled in the F.I.R., submits that the BPSC candidates had allegedly blocked traffic near Bada Bariyarpur Bypass Chowk on NH-28. It is further submitted that, although the named accused persons, along with 40–50 unknown persons, are alleged to have unlawfully assembled at the spot and set tyres on fire, the names of the petitioners surfaced only on the basis of information provided by the Mahal Chowkidar, merely because they were among the candidates present at the assembly. It is contended that no specific allegation has been levelled against the petitioners and that the allegations made against them are general and omnibus in nature. Lastly, it is submitted that the petitioners have no criminal antecedents and undertake to cooperate with the investigation.

5. Learned APP for the State opposes the prayer for

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anticipatory bail application.

6. Considering the aforesaid facts and circumstances that no specific overt act has been attributed against the petitioners and the allegations leveled against them are general and omnibus in nature and that the petitioners have no criminal antecedents and are willing to cooperate with the investigation. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Chhatauni P.S. Case No.24 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

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(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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