

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88960 of 2025**

Arising Out of PS. Case No.-60 Year-2025 Thana- BETTIAH CITY District- West  
Champaran

1. Omprakash Kumar @ Omprakash Patel S/o- Late Satan Mukhiya R/v- Durga Nagar W.No-26, Ps- Bettiah Town Dist- West Champaran
2. Devnath @ Devnath Mukhiya @ Devnadh Mukhiya S/o- Chandeshwar SAhani @ Chandeshwar Mukhiya R/v- Durga Nagar W.No-26, Ps- Bettiah Town Dist- West Champaran
3. Ramchandra Kumar @ Ramchandra Mukhiya @ Ramchadra Kumar Mukhiya S/o- Chandeshwar Sahani @ Chandeshwar Mukhiya R/v- Durga Nagar W.No-26, Ps- Bettiah Town Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate  
For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

2      12-01-2026                      Heard Mr. Brij Kishor Mishra, learned counsel for  
  
the petitioners and Mr. Bharat Lal, learned Additional Public  
  
Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bettiah Town P.S. Case No. 60 of 2025, F.I.R. dated 12.02.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352 of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that when she was sitting at her door, in the meantime, the petitioners along with other co-accused persons came and assaulted her. On protest, when other people came to rescue her, the accused persons assaulted them also.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to some petty dispute the present occurrence has taken place and there is case and counter case between the parties. Although there is specific allegation against the petitioners that they have assaulted the informant and her son but the injury report of the injured persons suggest that injury inflicted upon them is simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is case and counter case between the parties and injury inflicted upon the injured persons is simple in nature, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 60 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. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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