

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23013 of 2025

Arising Out of PS. Case No.-43 Year-2023 Thana- MEHSI District- East Champaran

1. Sanjay Rai @ Sanjay Kumar Yadav S/o Rajendra Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
2. Rajendra Rai S/o Late Mahavir Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
3. Shivnath Rai S/o Late RAMswaroop Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
4. Bigan Rai @ Binod Rai S/o Late Durga Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
5. Shashi Rai @ Shashi Kumar S/o Kishori Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
6. Sandeep Rai Late Saryug Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
7. Suman Kumar @ Suman Rai S/o Sanjay Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
8. Lali Rai @ Lali Devi @ Laldev Kumar S/o Suresh Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
9. Pradip Rai @ Pradip Kumar Yadav S/o Late Saryug Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari
10. Pawan Kumar S/o Sanjay Rai Resident of Village- Mahmada Choubey Tola, P.S.- Jay Bajrang O.P., District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are apprehending arrest in

connection with Mehshi P.S. Case No. 43 of 2023, dated



03.03.2023, lodged under Sections 147, 447, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against all the petitioners, alleging that the accused persons, in connivance with each other, surrounded the informant with the intention of grabbing the *khatiyani* land of the informant. Specific allegations have been made against petitioner nos. 3, 5, and 6, stating that they assaulted the informant, his wife, and his nephew.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the dispute has arisen over possession of the land. Counsel further submits that for the same date and place of occurrence, a case and a counter-case have been filed by both sides, i.e., Mehsi P.S. Case No. 51 of 2023 was lodged by the petitioners' side, and Mehsi P.S. Case No. 43 of 2023 was lodged by the informant's side. Counsel also submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there are specific allegations against petitioner nos. 3, 5, and 6, while the allegations against the remaining accused persons are general and omnibus in nature.



6. In the present facts and circumstances of this case and the submissions made above, let the petitioner No. 1, namely, Sanjay Rai @ Sanjay Kumar Yadav, petitioner No. 2, namely, Rajendra Rai, petitioner No. 4, namely, Bigan Rai @ Binod Rai, petitioner No. 7, namely, Suman Kumar @ Suman Rai, petitioner No. 8, namely, Lali Rai @ Lali Devi, petitioner No. 9, namely, Pradip Rai @ Pradip Kumar Yadav, petitioner No. 10, namely, Pawan Kumar, be released on bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari, in connection with Mehshi P.S. Case No. 43 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. So far as the bail applications of the petitioner No. 3, namely, Shivnath Rai, petitioner No. 5, namely, Shashi Rai @ Shashi Kumar, petitioner No. 6, namely, Sandeep Rai are concerned, their bail applications are hereby **rejected**.

(Dr. Anshuman, J)

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