

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42235 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- CHIRAIYA District- East Champaran

1. Sikandar Rai @ Sikandar Rai S/o- Late Kailash Rai Village- Saraugadh @ Saraugarh Ps- Chiraiya Dist- East Champaran
2. Motilal Rai S/o- Bhikhdhari Rai Village- Saraugadh @ Saraugarh Ps- Chiraiya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Chiraiya P.S. Case No. 141 of 2025 instituted for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of assaulting the Informant and his son by means of axe, *farsa* etc. It is also alleged that the accused persons snatched the gold chain from the neck of the Informant's son and cash from the Informant's pocket.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case due to previous land dispute as also with ulterior motive. The petitioners have not committed any offence as alleged in the F.I.R. There is no specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The specific allegation of assault is upon the co-accused Upendra Rai, Omprakash Rai and Jaiprakash Rai by means of *farsa*. The petitioners have one criminal antecedent and are languishing in judicial custody since 15.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioners as also there being no direct allegation, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Chiraiya P.S.
Case No. 141 of 2025.

(Rudra Prakash Mishra, J)

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