

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46904 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- BAUNSI District- Araria

1. Raghubir Sah S/o- Late Rameshwar Sah Resident of Baunsi PS- Baunsi District- Purnea
2. Dharmendra Sah @ Dharmendra Kumar Sah S/o- Bishwanath Sah Resident of Baunsi PS- Baunsi District- Purnea
3. Sikendra Sah @ Sikendra Kumar Sah S/o- Arjun Sah Resident of Baunsi PS- Baunsi District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s :	Mr. Choubey Jawahar, APP
For the Informant :	Mr. Arun Kumar Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 17-09-2025 Heard Mr. Praveen Kumar Agrawal, learned counsel for the petitioners; Mr. Arun Kumar Mandal, learned counsel for the informant and Mr. Choubey Jawahar, learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Bausi P.S. Case No. 48 of 2025 instituted for the offences under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is that on 11.03.2025, while returning from a *Shradh* ceremony, the informant's husband's motorcycle collided with some local persons at village Bausi, Ward No. 11. Following this, several persons including the



petitioners allegedly assaulted him, causing his death.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel further submitted that there is a delay of five days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Learned counsel further submitted that, as a matter of fact, the present case is a case of accidental death which has unfortunately been given the colour of a murder case. It has been submitted on behalf of the petitioners that the petitioners are in custody since 24.04.2025 and have no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioners stating that the witnesses have supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, there being no direct material against the petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bausi P.S. Case No. 48 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

