

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56812 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- KALYANPUR District- East Champaran

Teka Rai @ Tejabahadur Yadav, S/O Late Vishun Rai, Resident of Village-
Bairagi Tola (Bakhari), Police Station- Kalyanpur, District- East Champaran,
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Adv.
For the State	:	Mr. Harendra Prasad, APP
For the Informant	:	Mr. Krishna Kant Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-08-2025 Heard Mr. Karandeep Kumar, learned counsel for the

petitioner, Mr. Harendra Prasad, learned APP for the State and

Mr. Krishna Kant Singh, learned counsel for the informant.

2. Petitioner seeks regular bail in connection with

Kalyanpur P.S. Case No. 93 of 2025 dated 15.03.2025 registered

for the offences punishable under sections 191(2), 191(3), 109,

103(1), 351(2) and 352 of the Bharatiya Nyaya Sanhita and

section 27 of the Arms Act.

3. The main submissions advanced by petitioner's

counsel are that the FIR has been registered against 35 persons,

including the petitioner and the name of this petitioner is at

serial No. 29 and in the entire FIR, any specific role of this

petitioner in assaulting the deceased has not been revealed and



even he is not said to be carrying any weapon with him at that time and the FIR itself clearly shows that there was political rivalry in between both the parties due to PACS election. It is further submitted that only one person lost his life in the alleged occurrence, whose postmortem report has been filed with this petition which shows that he sustained an incised wound over the abdomen and the same is said to be the main cause of his death but the said injury is specifically attributed to the co-accused Jagarnath Rai and on the body of the deceased, except the said incised wound, no any other injury was found by the Medical Board, which in itself falsifies the involvement of such large number of persons in the commission of the alleged assault. It is further submitted that there is case and counter case between both the parties and the petitioner has been languishing in jail since 16.03.2025 and against him, the investigation has been completed.

4. Mr. Krishna Kant Singh, learned counsel for the informant submits that there is serious allegation against this petitioner and he is named in the FIR.

5. Learned APP for the State has also opposed the prayer of the petitioner.

6. Considering the aforesaid submissions and mainly



the facts that the FIR has been registered against 35 persons, though the petitioner is named in the FIR but his specific role in assaulting the deceased has not been revealed and on the body of the deceased, only one incised wound at his abdomen was found, which was specifically attributed to the co-accused Jagarnath Rai and also taking into account the petitioner's custody period and completion of investigation against him, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Kalyanpur P.S. Case No. 93 of 2025, on the following conditions :-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial court.

(ii) If the petitioner tampers with the evidence or the witnesses then the prosecution will be at liberty to move for cancellation of bail.



(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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