

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3504 of 2026

Arising Out of PS. Case No.-184 Year-2025 Thana- MEHSI District- East Champaran

1. Dharmendra Kumar Ray @ Dharmendra Ray @ Dharmendra Kumar S/o Lalbabu Ray R/o Village - Amwa Bada, P.O and P.S - Mehsi, District - East Champaran at Motihari
2. Sachin Kumar Ray @ Sachin Kumar S/o Baleshwar Ray R/o Village - Amwa Bada, P.O and P.S - Mehsi, District - East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Mehsi P.S. Case No. 184 of 2025, instituted for the offences punishable under Sections 190, 191(2), 191(3), 126(2), 118(1), 118(2), 109 of the B.N.S.

3. As per the prosecution case, on the date of occurrence during Moharram procession some scuffle took place between two communities. It is alleged that son of the informant was forcibly taken by the F.I.R. named accused persons on a motorcycle with intention to kill him. It is further alleged that wife of the informant received call on her mobile to take back her son from Tajpur Bara Gaon. The informant



informed the police who reached there and found the son of informant in injured condition. Later on, son of the informant succumbed to his injuries.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Allegation against the petitioners are general and omnibus. No specific allegation has been levelled against the petitioners. F.I.R. has been lodged after delay of six days without giving any plausible and reasonable explanation. *Post mortem* of the deceased does not show any external injury on his person. He further submits that in the F.I.R. and in the re-statement of the informant petitioners were not named as accused, however, subsequently, after about 15 days of the alleged occurrence, the informant also made allegation against the petitioners that they were also involved along with other co-accused persons. He further submits that the informant's side also assaulted a number of persons of the petitioners' side in which one of them, namely, Ajay Rai died for which Mehshi P.S. Case No. 178 of 2025 has been lodged by one Dhananjay Kumar for murder of his brother Ajay Ray. Petitioners have no criminal antecedent. They undertake to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail.

6. Considering the facts and circumstances of the case, submission of learned counsel for the parties and clean antecedent of the petitioners, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners, above-named, be released on bail upon furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Motihari at East Champaran in connection with Mehsi P.S. Case No. 184 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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