

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6246 of 2026

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

1. Mithun Kumar @ Mithu Kumar S/o- Rajesh Ray R/v- Tajpur Bada @ Amwa Bada Po Ps- Mehshi Dist- East Champaran at Motihari
2. Pankaj Kumar @ Pankaj Ray S/o- Deonarayan Prasad Yadav @ Deonarayan Prasad @ Kamleshwar Ray @ Kamleshwar Ray R/v- Tajpur Bada @ Amwa Bada Po Ps- Mehshi Dist- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 190, 191(2), 191(3), 126(2), 118(1), 118(2), 109 of the B.N.S. and later on Section 103(1) of the B.N.S. was added.

3. Petitioners along with other accused persons are said to have committed murder of the son of the informant.

4. Learned counsel for the petitioner has submitted that the First Information Report was lodged after a delay of 5 days although the informant has claimed to be an eye witness when his son was taken away by the accused persons. As many as 10 persons have been named as an accused in the FIR and



while petitioner no. 1 was not named in the FIR, the name of petitioner no. 2 features in the First Information Report. It is further submitted that there is no eye witness to the occurrence and the witnesses are only on the point of taking the deceased away. As a matter of fact, the case had been lodged on the deceased from the side of the petitioners and the said occurrence had taken place with regard to such enmity. Further, the postmortem report also does not show any external injury on the person of the deceased rather the opinion with regard to cause of death is said to be head injury due to blunt force impact. It is further submitted that a number of co-accused persons both named in the FIR and not named in the FIR have been granted bail by different coordinate Benches of this Court and one of such order has been brought on record by way of Annexure-2. Further, the petitioners are in custody since 02.12.2025 and 15.11.2025 respectively and charge-sheet has been submitted.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that other similarly situated co-accused persons have been granted bail by coordinate Benches of this Court coupled with the delay in



lodging the FIR, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mehshi P.S. Case No. 184 of 2025.

(Soni Shrivastava, J)

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