

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19417 of 2026

Arising Out of PS. Case No.-523 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Mahesh Kumar S/o- Jhunna Sah @ Jhuna Sah Resident of village - Harnai,
P.S. Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Ajay Kumar Singh, learned counsel for

the petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.12.2025 in connection with Ramgarhwa P.S. Case No. 523 of
2025, F.I.R. dated 27.12.2025 for the offences punishable under
Sections 111, 303(2), 287, 317(2), 317(4), 317(5) and 318(4) of
the BNS, 2023, Section 3/4 of the Explosive Substance and
Section 7 of the E.C. Act.

3. According to prosecution case, this petitioner along
with other accused persons were found manufacturing
adulterated petrol.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, the petitioner is a labourer engaged by the main accused, namely, Anamullah Mian and Md. Nurullah and the petitioner has no concern at all with the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Hakim Hawai and Shyambabu Kumar Ram have been granted bail by a Co-ordinate Bench of this Court vide order dated 16.03.2026 passed in Cr. Misc. No. 15609 of 2026. The petitioner is in custody since 29.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at



Motihari, East Champaran in connection with Ramgarhwa P.S.

Case No. 523 of 2025, subject to the following conditions:-

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

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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