

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31449 of 2026

Arising Out of PS. Case No.-79 Year-2026 Thana- BARUN District- Aurangabad

1. Sandhya Devi W/O Chandip Mehta R/O Vill.- Hetampur, P.S.- Barun, Dist.- Aurangabad.
2. Dwarika Mehta S/O Late Jhauri Mahto R/O Vill.- Hetampur, P.S.- Barun, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Prasad Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 23-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Barun P.S. Case No. 79 of 2026 registered for the alleged offences under Sections 126(2), 115(2), 103(1), 352, 3(5) of BNS.

03. As per prosecution case, the petitioners and other co-accused persons dragged out the father of the informant from his house and assaulted him. This occurrence took place on 15.02.2026 in the background of land dispute. Thereafter, the father of the informant died on 20.02.2026 and the informant showed his suspicion that his father received internal injury in



the assault by the petitioners and other co-accused persons and died due to this reason.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The background of land dispute is the reason for lodging the present case. Petitioner no. 1 is a young lady aged about 30 years and petitioner no. 2 is an old man aged about 72 years and it is not believable that they assaulted the father of the informant along with other co-accused persons. No allegation of causing any injury upon the father of the informant has been made or any such injury was caused and which weapon was issued. No report was made about the occurrence dated 15.02.2026. The story of the informant is falsified by the postmortem report which does not show any external injury on any part of the body and opinion was reserved till the receipt of viscera report. However, the viscera report has come from the FSL and it does not show any Metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison in the viscera. These two reports go on to show that the father of the informant died a natural death and taking advantage of his natural death, the informant has implicated the whole family of the petitioners. Learned counsel further submits



that the petitioners are having clean antecedent and they are in custody since 21.02.2026. Charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the specific allegation against the petitioners is that they assaulted the father of the informant who died five days thereafter.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioners, their clean antecedent and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned Court in connection with Barun P.S. Case No. 79 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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