

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41013 of 2026

Arising Out of PS. Case No.-92 Year-2025 Thana- BARGAINIA District- Sitamarhi

1. Sandip Das @ Sandeep Kumar, S/o Ashok Das
 2. Ram Babu Rai @ Ram Babu Yadav @ Ram Babu S/o Chullahi Ray
 3. Shyam Babu Rai @ Shyam Babu Yadav, S/o Chullahi Ray
 4. Gulten Rai @ Banra @ Ram Pravesh Kumar S/o Prabhu Ray
- All are resident of village-Masha Alam, Ward-03, P.S.- Bairgania, Distt.- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Bairgania

P.S. Case No.92 of 2025 registered under Sections 191(2),

190, 126(2), 115(2), 303(2), 352, 351(2), 109 and 191(3)

of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, the petitioners along with 17 named

co-accused persons attacked upon informant and others,

causing grievous injuries. The informant, during the

occurrence, received multiple injuries on different parts of



the body.

4. It is submitted by learned counsel appearing for the petitioners that due to previous enmity, the present false allegation *qua* physical assault was raised against petitioners, which is very much general and omnibus in nature. It is pointed out that the nature of injuries, upon medical examination, found simple in nature. While concluding argument, it is submitted that similarly situated co-accused persons were granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.20348 of 2026 dated 08.04.2026, therefore, as a matter of judicial parity, these petitioners also deserve bail. Explaining criminal antecedent, it is pointed out that petitioner no.1 found involved in one more criminal case, where he is on bail, whereas petitioner no.2 involved in seven criminal cases, where he on bail, whereas petitioner no.3 involved in four criminal cases, where he is on bail and petitioner no.4 found involved in further two cases, where he is on bail but all these cases are of petty in nature as related with Excise, which is prohibited in State.



5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as allegation *qua* causing physical assault is appearing very much general and omnibus in nature, wehre similarly situated co-accused persons were granted bail by one the learned co-ordinate Bench of this Court, accordingly, all above-named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, are directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Sitamarhi in connection with Bairgania P.S. Case No.92 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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