

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43354 of 2026

Arising Out of PS. Case No.-72 Year-2026 Thana- RAMGARHWA District- East Champaran

1. Mithu Sah S/o Bal Sundra Sah R/o Village - Murla, P.S - Ramgarhwa, District - East Champaran
2. Sanjay Sah S/o Nathu Sah R/o Village - Murla, P.S - Ramgarhwa, District - East Champaran
3. Ajay Sah S/o Nathu Sah R/o Village - Murla, P.S - Ramgarhwa, District - East Champaran
4. Bhikar Sah S/o Vishwanath Sah R/o Village - Murla, P.S - Ramgarhwa, District - East Champaran
5. Rupesh Kumar S/o Umesh Sah R/o Village - Murla, P.S - Ramgarhwa, District - East Champaran
6. Mukesh Kumar S/o Ramanand Sah R/o Village - Murla, P.S - Ramgarhwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar, Adv
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-07-2026 Heard Mr. Kundan Rathore Alias Kundan Kumar,

learned counsel for the petitioners and Mr. Arun Kumar Singh,

learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ramgarhwa P.S. Case No 72/2026, F.I.R dated 09.02.2026 for the offences under Section 191(2), 191(3), 190, 195, 222, 285, 109 (1), 324(4), 132, 121(1) of the BNS, 2023

3. According to prosecution case, the informant stated



that on 09.02.2026, a scuffle took between police driver/Sepoy Vishal Kumar and fish vendors at Machhali Hatta near Ramgarhwa Bazar, upon which unruly mob led by local individual named Manoj Kumar Pandey began raising ruckus and blocked the road. When police personnel attempted to intervene in the matter, the unruly mob attacked the police party by pelting stones and bricks. Further a mob of 100-150 people, led by Manoj Pandey, set fire on that very place and blocked the State Highway. When the police tried to pacify the matter, the mob tried to vandalize the vehicles standing in the queue. The involvement of the Petitioners and other co-accused were identified by the villagers and local Chowkidar. Hence this FIR.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. From bare perusal of the FIR it appears that FIR was instituted against more than 100 persons and there is no specific allegation of assault or overt act against these petitioners and due to some petty dispute, the present occurrence has taken place.



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

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and there is no specific allegation of assault or overt act against them, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Raxaul, Motihari, East Champaran/Concern Court, Motihari, East Champaran in connection with Ramgarhwa P.S. Case No 72/2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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