

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45863 of 2026

Arising Out of PS. Case No.-216 Year-2026 Thana- BAIRIYA District- West Champaran

Dhananjay kumar Son of Prasan Thakur Ro Shahpur, P.S. - Rohtas, Dist . -
Rohtas, Permanent Address of Ward no. 2, Paschimi Turha Patti, Garabhua,
Dokanpur, Dist. - West Champaran, Bihar, - 845540.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Advocate

Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-07-2026 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Bairiya
P.S. Case No. 216 of 2026 instituted for the offences under
Sections 352, 351(2), 127(2), 127(4), 115(2), 318(4), 329(3),
143, 132, 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that during a raid led
by Firoz Iqbal, Circle Officer, Bairiya, along with the S.D.O.,
Bettiah and other officials, the petitioner Dhananjay Kumar and
others assaulted and ill-treated inmates while illegally
continuing to run the old age home after expiry of the
agreement with one South Bihar Welfare Society for Tribal
(Ashray). It is further alleged that accused shifted 22 old
persons from the old age home and their whereabouts were not



known.

4. Learned senior counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. He further submits that it is a case of complete *malafide* on part of the informant. The South Bihar Welfare Society for Tribal (Ashray), Ranchi filed CWJC No. 6928 of 2026 in this Court on 08.04.2026 for directing the State authorities to make payment of dues amounting Rs. 50,69,302/- which has already been admitted and the concerned official has also sent a letter for the allotment of Rs. 53,14,635/- and issued direction to make the payment to the Society. Since the District Level Officer of Social Security Department had been demanding extraneous consideration for making payment of admitted dues, the Society was forced to file another writ before this Court vide CWJC No. 7729 of 2026 on 18.04.2026 praying for instituting a vigilance inquiry against the then Additional Director, Social Security, West Champaran. In retaliation thereof, a raid was orchestrated in illegal manner with completely false allegation. Learned counsel further submits that from the written report leading to registration of FIR, it is very much evident that the FIR has been registered on surmises and conjecture. Further allegation of assault by the petitioner and other co-accused persons to the



inmates of the Old Age Home is not supported by any medical report or injury report. Learned counsel further submitted that the similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 08.07.2026 passed in Cr. Misc. No. 44204 of 2026. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.05.2026 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairiya P.S. Case No. 216 of 2026.

(Rudra Prakash Mishra, J)

Alok Verma/-

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