

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74804 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- MEHSI District- East Champaran

Sanjay Kumar @ Sanjay Rai S/o Baldeo Rai R/o Village- Amwa Bara, P.S.-
Mehsi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.09.2025 in connection with Mehsi P.S. Case No. 184 of
2025, F.I.R. for the offences punishable under Sections 190,
191(2), 191(3), 126(2), 118(1), 118(2), 109 of the Bharatiya
Nyay Sanhita, 2023 and later on Section 103(1) of Bharatiya
Nyay Sanhita, 2023 was added.

3. According to prosecution case, petitioner and other
co-accused persons dragged away the son of the informant when
a fighting erupted during Tazia procession. The informant
further alleged that his wife was given information on mobile
phone that his son was lying at a particular spot and thereafter,



he informed the police and police reached there and found his son in injured condition, Later on, the son of the informant succumbed to his injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he falsely been implicated in the present case. Initially the petitioner was not named in the FIR and their name transpired on the basis of restatement of the informant, after thought, only to falsely implicated the petitioner in the present case and from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him and similarly situated co-accused persons already granted bail by the Co-ordinate Benches of this Court in Cr. Misc. No. 83452 of 2025, Cr. Misc. No. 83104 of 2025, Cr. Misc. No. 83138 of 2025 and Cr. Misc. No. 83076 of 2025. The police after investigation submitted charge-sheet and the petitioner is in custody since 25.07.2025.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and they are not named in the FIR and similarly situated co-accused persons already granted bail by the Co-ordinate Benches of this Court in Cr. Misc. No.



83452 of 2025, Cr. Misc. No. 83104 of 2025, Cr. Misc. No. 83138 of 2025 and Cr. Misc. No. 83076 of 2025, 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 Judicial Magistrate-F.C, East Champaran, Motihari in connection with Mehsi P.S. Case No. 184 of 2025.

(Ramesh Chand Malviya, J)

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