IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76430 of 2026

CNR No. BRHC011102312026

Arising Out of PS. Case No.-105 Year-2026 Thana- SHIKARGANJ District- East Champaran

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Saheb Rai @ Saheb Kumar Son of Late Mahangu Rai Resident of Village- Harihara, P.S.- Shikarganj, District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raushan Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Shikarganj P.S. Case No. 105 of 2026 instituted for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that, the petitioner and other co-accused persons assembled on the land of the informant and the son of the informant was stabbed by co-accused Govind Rai. When the wife and another son of the informant came for his rescue, the petitioner and co-accused caught hold the wife of the informant and Govind Rai stabbed

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her in her chest. The another son of the informant also received knife injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is admitted land dispute between the parties. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation of stabbing the informant and his family members is alleged against co-accused, namely, Govind Rai. Learned counsel for the petitioner submits that the petitioner and informant are agnates. The petitioner is in custody since 08.06.2026 and has no criminal antecedent. Co-accused has been granted regular bail by a co-ordinate Bench of this Court vide order dated 23.09.2026 passed in Cr. Misc. No. 68401 of 2026.

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 and 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/- (Fifteen thousand) with two sureties

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of the like amount each to the satisfaction of Court below/concerned Court in connection with Shikarganj P.S. Case No. 105 of 2026.

(Rudra Prakash Mishra, J)

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