

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82013 of 2025**

Arising Out of PS. Case No.-2 Year-2025 Thana- BHARGAMA District- Araria

Mayanand Rishidev S/O Saini Rishidev Resident of Village- Simarbani Uttar
Tola, Ward No. 03, P.S- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

3 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 105, 3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioner and other
accused persons are alleged to have assaulted the husband of the
informant as a result of which he died.

4. Learned counsel for the petitioner submits that the
present case has been lodged under section 105 of BNS which
makes it clear that there was no intention to cause the death or
any serious injury to the deceased. The First Information Report
itself would show that the deceased had intervened in the fight
between the petitioner and his neighbours and in the process he



was also assaulted on account of which he became unconscious and died. It is submitted on behalf of the petitioner that on the contrary it was the petitioner who had intervened to pacify the differences between other parties and he has also been made an accused in the present case. However, allegation against all the accused persons are general and omnibus in nature with no specific allegation being attributed and the postmortem report also indicates only bleeding from the mouth and broken teeth with some swelling etc. and the death in the opinion of the doctor has been caused due to asphyxia caused on account of blood and food particles aspiration. The petitioner is in custody since 10.06.2025 with no criminal antecedent.

5. Learned APP for the State opposes the grant of bail to the petitioner.

6. Taking into consideration the facts and circumstances and also considering general and omnibus nature of allegations and further considering the postmortem report indicating death on account of aspiration and the charge-sheet has already been submitted, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Araria/concerned



Court below in connection with Bhargama P.S. Case No. 02 of
2025.

(Soni Shrivastava, J)

Ranjeet/-

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