

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83076 of 2025

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

1. Vikash Ray @ Vikash Kumar S/o Babban Ray @ Babban Kumar R/o vill -
Tajpur Bada @ Amwa Bada, P.O. and P.s.- Mehshi, Distt.- East Champaran
2. Vishal Ray @ Vishal Kumar S/o Babban Ray @ Babban Kumar R/o vill -
Tajpur Bada @ Amwa Bada, P.O. and P.s.- Mehshi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-01-2026 Heard Mr. Santosh Kumar, learned counsel for the
petitioners as well as Mr. Md. Aslam Ansari, learned Additional
Public Prosecutor for the State.

2. Petitioners seeks bail who is in custody since
26.09.2025 in connection with Mehshi P.S. Case No. 184 of
2025, F.I.R. dated 11.07.2025 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, petitioners 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 petitioners submits that petitioners have clean antecedent and they falsely been implicated in the present case. Initially the petitioners were not named in the FIR and their name transpired on the basis of re-statement of the informant, after thought, only to falsely implicated the petitioners 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 them and similarly situated co-accused persons, namely, Sonu Sahani @ Lall Babu @ Suga @ Sona Kumar Sahani@ Santu Sahani @ Sanu Sahani and others have been granted the privilege of regular bail by the co-ordinate Bench of this Court vide order dated 08.12.2025 in Cr. Misc. No. 83452 of 2025. The police after investigation submitted charge-sheet and the petitioners are in custody since 26.09.2025.

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



6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and they are not named in the FIR and similarly situated co-accused persons, who are named in the FIR, have been granted the privilege of regular bail by the co-ordinate Bench of this Court, let the petitioners, 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, Motihari, East Champaran in connection with Mehsi P.S. Case No. 184 of 2025, subject to the 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 tamper 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 antecedents, 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)

Suruchi/-

U		T	
---	--	---	--

