

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1242 of 2026

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

Jitu Sahani @ Jitendra Sahani Son of Sukh Lall Sahani Resident of Village
Chak Nagari, P.S.- Mehsi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Khanna, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
for the offence punishable under Sections 190, 191(2), 191(3),
126(2), 118(1), 118(2) and 109 of the B.N.S., 2023.

3. As per the prosecution case, it is alleged that
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 is innocent and has falsely been implicated in the present case. Further submission is that there is no specific allegation against the petitioner. There is an inordinate delay of five days in lodging the present case. Petitioner was not present at the place of occurrence on the date of occurrence as he was working in Punjab. He next submits that petitioner's side has also lodged a case against the informant and others bearing Mehsi P.S. Case No. 178 of 2025 in which informant's side assaulted a number of persons from the petitioner's side and one of them namely, Ajay Ray died. The charge-sheet has already been submitted after completion of investigation. Similarly situated co-accused persons, namely, Sonu Sahani @ Lall Babu @ Suga @ Sonu Kumar Sahani @ Santu Sahani @ Sanu Sahani, Basant Ray, Rajesh Ray have already been granted regular bail by a Co-ordinate Bench of this Court *vide* common order dated 08.12.2025 passed in Cr. Misc. No. 83452 of 2025 and other tagged cases. Petitioner is in custody since 17.09.2025 having no criminal antecedent and he undertakes to co-operate in the trial. There is no chance of tampering with the evidence or absconding of the petitioner.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the fact that charge-sheet has been submitted, similarly situated co-accused persons have been granted bail, clean antecedent and period of custody, let the above named petitioner 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 Court concerned, where the case is pending, in connection with Mehsi P.S. Case No. 184 of 2025 with following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Sunil Dutta Mishra, J)

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