

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-V,

MOTIHARI, EAST CHAMPARAN

REGULAR BAIL APPLICATION NO. : 1543/2026

Present:
Rajendra Kumar Sinha
D.A.S.J.-V, Motihari

IN THE MATTER OF:

1. Ram Prasidh Sah @ Ram Prasidh Prasad, aged about 56 years,

S/O Late Ramvilash Sah

2. Deepak Kumar, aged about 36 years,

S/O Ram Pukar Sah

Both R/O Village- Bhandara, P.S.- Pachpakdi

District - East Champaran

----Accused/Petitioner

vs

State of Bihar

----Opposite Party

P.S. - Pachpakri

FIR No. 78/26

Offence u/s-191(2)(3), 190, 192, 194(2), 196(2), 132, 115(2), 117(2), 118(1), 109(1), 324(3), (5), 223B, 79, 351(2), 352, 61(2) of B.N.S. and Section 3 & 4 of Damage of Public Property Act.

District: East Champaran

Ld. Counsel for State →

A.P.P. Sri S. C. Pd. Yadav

Ld. Counsel for applicant →

Ld. Adv. Sri Sohail Ahmad Mansuri

ORDER

10-06-2026 1. Vide this order, regular bail application bearing No. 1543/26 filed on dated 23-05-2026 on behalf of applicants/accused persons namely **Ram Prasidh Sah @ Ram Prasidh Prasad & Deepak Kumar** who are in Judicial custody in connection with the above mentioned case since 07-05-26 is being disposed off.

2. Factual matrix of the present case is that on 04-05-26, during the Kalash Yatra organized as part of the Shri Vishnu Mahayagya at Bhandar Village under Pachpakri Police Station, when the procession reached near the main mosque, a dispute arose regarding the use of a DJ Sound system, which had been prohibited. The administration attempted to stop the DJ, but the participants in the procession refused to comply with the instructions. Thereafter, tensions escalated between members of the two communities, and provocative slogan-shouting began. The administration and police made efforts to persuade both sides and maintain

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peace, but neither side complied with the directions. Meanwhile, rumors spread, resulting in a larger gathering of people and further aggravating the situation. Subsequently, stone-pelting started between the two groups, leading to panic and a violent clash. The miscreants used sticks, stones, and other weapons, vandalized nearby houses, and also attacked the administrative and police personnel present at the spot. Several persons from both communities, police personnel, and the magistrate sustained injuries, and a government vehicle was damaged during the incident. After the arrival of additional police forces and considerable efforts by the administration and police, the situation was eventually brought under control.

3. In the nutshell, it is argued on behalf of the applicant/accused that no bail petition of any kind has been filed earlier in this court or any higher court, have no criminal case is pending against them but are completely innocent, law-abiding citizens and have absolutely no connection with the alleged offence. It was further argued that the petitioners/ accused persons were neither part of any unlawful assembly nor did they participate in any stone-pelting, sloganeering, or vandalism and committed no offence as alleged and have been falsely been implicated in this case on the basis of groundless local suspicions. It was further argued that the petitioners are not named in the FIR and were neither apprehended from the spot nor has any incriminating material, weapon, or stone been recovered from their possession and accordingly, prayer for grant of Bail was made as they are in custody since 07-05-26 without any fault.

4. On the other hand, learned Additional P. P. for the state very vehemently opposed the bail petition however, no substantive argument was made on his behalf.

5. I have heard all the sides and gone through the record.

6. At this stage, it may be noted that the case has been registered for offences related to rioting, unlawful assembly mischief and disturbance during the religious procession by use of deadly weapons, damaging the properties and disturbance of public peace & communal harmony, but this petitioners are neither named in the FIR nor having any criminal history. There is no specific allegations against them nor they have any previous track record of in-

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volvement in similar nature of case. The petitioners are incarcerated since 07-05-26 and no purpose would be served to keep them behind bars.

7. Under these facts & circumstances discussed above, the fact that petitioners are of clean antecedents and taking into consideration of custody period of petitioner, let the petitioner namely **Ram Prasidh Sah @ Ram Prasidh Prasad & Deepak Kumar**, be released on bail, on furnishing the bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the court below.

8. Let, this order be sent to the concern court and file be consigned to the record room after return of documents/materials submitted; if any; to the parties as per provisions.

Sd/-

(RAJENDRA KUMAR SINHA)

D.A.S.J. -V, Motihari

Motihari Dated: 10-06-2026

Memo No..... dated

Copy forwarded to the Ld. Court of Ms. Vageesha Sushan, JMFC at Dhaka, East Champaran for information & needful.

D.A.S.J. -V,

Motihari Dated: 10-06-2026