

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8181 of 2025

Arising Out of PS. Case No.-259 Year-2023 Thana- DORIGANJ District- Saran

1. Tarkeshwar Rai Son of Nand Kumar Rai Resident of Village- Chakiya P.S- Doriganj District- Saran at Chapra
2. Raju Rai Son of Nand Kumar Rai Resident of Village- Chakiya P.S- Doriganj District- Saran at Chapra
3. Guddu Rai Son of Uma Shankar Rai Resident of Village- Chakiya P.S- Doriganj District- Saran at Chapra
4. Vicky Rai @ Sudhir Kumar Rai Son of Nagendra Rai Resident of Village- Chakiya P.S- Doriganj District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this bail application with respect to petitioner No.1, namely, Tarkeshwar Rai.

3. Permission is accorded.

4. This application is dismissed as withdrawn with respect to petitioner No. 1, namely, Tarkeshwar Rai.

5. The instant application for anticipatory bail has been filed by the petitioner nos. 2 to 4 apprehending their arrest in



connection with Doriganj P.S. Case No. 259 of 2023 instituted for the offence under Section 147, 148, 149, 323, 324, 307, 379 and 504 of the Indian Penal Code.

6. The case of the prosecution is that the petitioners along with others arrived and started assaulting the informant. The specific allegation is against one Tarkeshwar Rai(petitioner no.1) who assaulted on the head due to which the informant received head injury. After that, all the accused persons assaulted the informant on his back and leg etc. There is also the allegation of snatching chain and Rs. 5000/- by the accused persons.

7. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of the F.I.R. itself, it is clear that the specific allegation is against Tarkeshwar Rai. The nature of allegation is against these petitioners is general and omnibus. From perusal of the injury report, it is clear that the informant has received one lacerated wound and nature of the injury is grievous. However, the nature of allegation against these petitioners is general and omnibus. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Similarly situated other co-accused persons have already been



granted bail by this Court vide order dated 18.10.2024 in Cr. Misc. No. 69067 of 2024.

8. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Doriganj P.S. Case No. 259 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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