

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12232 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- ISUAPUR District- Saran

1. Rakesh Rai @ Rakesh Kumar Yadav son of Avadhesh Rai village- Daiola, ps- Ishuapur, Dist- Saran
2. Priyanka Kumari Daughter of Rakesh Kumar Yadav @ Rakesh Rai village- Daiola, ps- Ishuapur, Dist- Saran
3. Savita Devi Wife of Rakesh Kumar Yadav @ Rakesh Rai village- Daiola, ps- Ishuapur, Dist- Saran
4. Rajesh Rai @ Rajesh Kumar yadav Son of Avadhesh Rai village- Daiola, ps- Ishuapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP
For the Informant	:	Ms. Shweta, Advocate
		Mr. Pranjal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Krishna Kumar Yadav, learned counsel appearing on behalf of the petitioners; Mr. Bharat Lal, learned APP for the State and Ms. Shweta, along with Mr. Pranjal Kumar, learned counsels appearing on behalf of the Informant.

2. The petitioners apprehends their arrest in connection with Ishuapur P.S. Case No. 170 of 2024 registered under Sections 115(2), 118(1), 126(2), 109(1), 352, 351(2) of the B.N.S.

3. As per the allegation made in the FIR, the petitioners have assaulted the informant, due to which he



sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. He further submitted that due to land dispute altercation took place between the parties and in course of the same, the petitioners, in their self defence, may have caused some injuries on the person of the informant, without intention. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on bail.

5. Learned counsel appearing on behalf of the informant vehemently opposed the prayer for grant of pre-arrest bail and submitted that the petitioners actively participated in the assault of the informant, with a common intention to kill.

6. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail.

7. Considering the rival submissions made on behalf of the parties, as well as, the fact that due to land dispute altercation took place between the parties and in course of the same, the petitioners, in their self defence, may have caused some injuries on the person of the informant, without intention. The petitioners have clean antecedent. I am of the opinion that



the petitioners have, *prima facie*, made out a case to be released on anticipatory bail.

8. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned J.M., Ist Class, Saran at Chapra in connection with Ishuapur P.S. Case No. 170 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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