

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18969 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- RAGHOPUR District- Vaishali

1. Dilip Rai S/o- Bhullu Rai Resident of Village- Saidabad P O and PS- Raghapur, Dist- Vaishali
2. Anil Rai S/o- Bhullu Rai Resident of Village- Saidabad P O and PS- Raghapur, Dist- Vaishali
3. Nitish Rai Jataha Rai S/o- Bhullu Rai Resident of Village- Saidabad P O and PS-Raghapur, Dist- Vaishali
4. Jataha Rai S/o- Bhullu Rai Resident of Village- Saidabad P O and PS- Raghapur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Raghapur P.S. Case No. 97 of 2024 instituted for the offences under Sections 341, 323, 324, 325, 354(B), 379, 504, 506, 34 of the Indian Penal Code and, later on, added Section 307 of the Indian Penal Code.

3. As per prosecution case, on the alleged day of occurrence, the accused persons including the petitioners entered into the Informant's house and assaulted the Informant



and his brother by means of *farsa*, iron rods and *lathi*. It is also alleged that the accused persons also caught hold of the Informant's niece Mamta Kumari, aged about 14 years of age, and tried to press her neck. They also tore her clothes leaving her disrobed. It is also alleged that Baleshwar Rai and Mahesh Rai also removed gold-silver jewellery items and cash amounting Rs. 17,000/-.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case due to land dispute between the parties. The petitioners have not committed any offence as alleged in the F.I.R. Learned counsel for the petitioners submits that there is no direct or specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. Specific allegation is against co-accused, namely, Bhallu Rai. Both the parties are Gotiya. The petitioners have no criminal antecedent. Other co-accused have been granted bail by this Court vide order dated 27-06-2025, passed in Cr. Misc. No. 40024 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Raghopur P.S. Case No. 97 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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