

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12163 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- AKILPUR District- Saran

1. Kashi Rai @ Kundan Ray Son of Late Parichan Rai @ Parikshan Ray
 2. Pika Rai @ Birendra Ray Son of Kashi Rai @ Kashi Ray
 3. College Rai @ Kaulej Ray Son of Kashi Rai @ Kashi Ray
- All are Resident of Village- Batrauli, P.S.- Akilpur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-02-2025 Heard Mr.Dheeraj Kumar, learned counsel for the
petitioners and Mr.Binod Kumar, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 25.10.2024 in connection with Akilpur P.S.Case No.11 of 2024, F.I.R. dated 12.02.2024 registered for the offence punishable under Section 147, 149, 341, 323, 427, 448, 307, 379, 504 of the Indian Penal Code.

3. The prosecution case, in short, is that on 11.02.2024 at 6.00 PM accused in drunken state armed with lathi, danda and iron rod visited house of informant and abused him, consequently informant got injured (on head) by Bhuteli Rai and Arjun Rai gave injury upon head of



informant's father whereas Pika Rai and Bhim Rai stole articles and cash Rs.500/-(Rs. Five Hundred) by breakign box in his house and College Rai assaulted his wife and children. Subsequently his bike was also damaged, on order of Kashi Rai.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against these petitioners rather there is specific allegation of assault attributed against co-accused persons, namely, Bhuteli Rai and Arjun Rai and the injury inflicted upon the injured person is found to be simple in nature and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 25.10.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that the petitioners are named in the FIR.



6. Considering the aforesaid fact, petitioners have clean antecedent, nature of allegation as alleged in the FIR and injury inflicted upon the injured person is simple in nature, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Akilpur P.S.Case No.11 of 2024, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take



step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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