

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18359 of 2025

Arising Out of PS. Case No.-720 Year-2024 Thana- NAUBATPUR District- Patna

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1. Rambali Rai S/O Late Basudev Ray R/O Vill.- Gadaipur, P.S.- Naubatpur, Dist.- Patna.
 2. Navin Ray S/o Sukhdev Ray R/O Vill.- Gadaipur, P.S.- Naubatpur, Dist.- Patna.
 3. Arvind Ray S/o Ranjit Ray R/O Vill.- Gadaipur, P.S.- Naubatpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Advocate
		Mr. Sunit Kumar Srivastava, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-05-2025 1. Heard Mr. Patanjali Rishi, learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 303(2), 351(2), 351(3), 352 and 3(5) of the BNS.

3. Learned counsel appearing on behalf of the informant at the outset submits that initially when the anticipatory bail application was filed, at para 3, it was pleaded that petitioner no. 1 has antecedent of four cases, petitioner no. 2 has antecedent of two cases and petitioner no. 3 has antecedent



of four cases but when the case was taken up the antecedent as pleaded in the anticipatory bail application was opposed by the informant, as such, a supplementary affidavit was filed wherein it has been pleaded that petitioner no. 1 has antecedent of ten cases, petitioner no. 2 has antecedent of eight cases and petitioner no. 3 has antecedent of seven cases.

4. Learned counsel appearing on behalf of the informant thus submits that had the informant not appeared in the case then perhaps the petitioners would have been in a position to secure anticipatory bail.

5. At this stage, learned counsel appearing on behalf of the petitioners submits that the informant alleges that he had instituted Naubatpur P.S. Case No. 30 of 1999 in which Sessions Trial No. 752 of 2003 is progressing, hence, to desist the informant from appearing in the trial, accused Navin assaulted him by an iron rod on his neck, thereafter Rambali assaulted him by lathi on left hand and Arvind assaulted him by butt of pistol causing injury on his head and thereafter assaulted him on nose leading to fracture of nasal bone.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that no doubt Sessions



Trial No. 752 of 2003 is progressing but then informant in Sessions Trial No. 752 of 2003 had already deposed in the case on 09.05.2013 and his father had deposed on 07.02.2024, as such, there was no occasion for the petitioners to assault the informant on 08.11.2024 which casts an aspersion on the case of the prosecution.

7. Learned counsel appearing on behalf of the informant does not dispute the said submissions of the learned counsel appearing on behalf of the petitioners but then submits that Naubatpur P.S. Case No. 30 of 1999 was instituted by the present informant against the petitioners alleging therein that petitioners had assaulted him and his father. It is further submitted that no doubt informant and his father had deposed in the case but still eleven witnesses remained to be examined and as such the informant was making endeavours to get all the eleven witnesses appear in the trial when this occurrence was committed. It is next submitted that the informant was assaulted brutally which has caused fear amongst the rest of the witnesses also. It is also submitted that the injury of fracture of nasal bone is opined to be grievous in nature.

8. Learned A.P.P. for the State also vehemently opposed the prayer for anticipatory bail of the petitioners.



9. Considering the submissions made by the learned counsel appearing on behalf of the informant and taking into account the criminal antecedent of the petitioners, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Naubatpur P.S. Case No. 720 of 2024 pending in the Court of learned Additional Chief Judicial Magistrate-VI, Danapur/Successor Court.

10. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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