

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16484 of 2025**

Arising Out of PS. Case No.-423 Year-2024 Thana- BACHHWARA District- Begusarai

Raghuvendra Rai Son of Late Bishambhar Rai Resident of Village- Rani 03,
P.S.- Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Bachhwara P.S. Case No. 423 of 2024 registered for the offences punishable under Sections 115(2), 117(2), 127(1), 109, 303(2), 308(3), 251(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on 14.12.2024 at about 04:00 P.M. when informant was feeding the cattle then the petitioner along with another co-accused person along with lathi-danda and rod came at the door of the informant and assaulted over his head with iron rod after which he tried to save himself by his hand due to which his hand got injured and he



fell down. Petitioner's wife caught the informant's hand and co-accused person had also snatched a golden *Hanumani* from his neck and fled away.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that all offences are bailable except Sections 109 and 303(2) of B.N.S. He further submits that from perusal of the impugned order, it appears that there is no specific allegation against the petitioner and no case is made out under Section 109 of the B.N.S against the him. He further submits that there is an inordinate delay of two days in lodging of the FIR without any plausible explanation. He further submits that there is case and counter case between the parties. He next submits that petitioner has got one criminal antecedent as stated in para-3 of the bail petition but he is on bail as stated by learned counsel for the petitioner. He next submits that from perusal of the injury report, it appears that there is total three injuries found on the body of the injured informant, namely, Shashikant Rai, bruise on the left arm and bruise on the right shoulder side and swelling on the left hand of the informant which is found to be simple in nature.

5. However, learned APP for the State oppose the



prayer for anticipatory bail of the petitioner.

6. On perusal of FIR, impugned order dated 14.02.2025 as well as injury report, it appears that injuries sustained by the injured are simple in nature and there is one criminal antecedent against the petitioner, so considering all aspects of the case, nature of allegation levelled against the petitioner and submissions made on behalf of the learned counsel for the petitioner, I am inclined to grant anticipatory bail to the above named petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bachchwara P.S. Case 423 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Ramesh Chand Malviya, J)

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