

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30596 of 2025

Arising Out of PS. Case No.-515 Year-2022 Thana- GHORASAHAN District- East
Champaran

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1. Hiralal Rai S/O Bhola Rai
 2. Vijay Kumar @ Vijay Rai Son of Budhu Rai
Both are R/O Village- Agarwa, P.S- Jitna, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr.Rahul Singh, learned counsel for the
petitioners and Mr.Mritunjay Kumar Nirala, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Ghorasahan P.S.Case No.515 of 2022, FIR
dated 14.09.2022 registered for the offences punishable under
Sections 302,201,120(B),34 of IPC.

3. As per FIR, petitioners alongwith other named co-
accused persons committed murder of grandson of informant by
inflicting knife injuries.

4. Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in the present case
merely on the basis of suspicion and except the suspicion, no



other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and the police, after investigation, submitted final form in favour of the petitioners but the learned court below, differing with the final form, has taken cognizance vide order dated 11.12.2024 and apart from that, similarly situated co-accused persons, namely, Pradeep Kumar @ Pradeep and Jitendra Kumar @ Jitendra Rai, against whom the similar allegation, have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 09.05.2025 passed in Cr. Misc. No.6063 of 2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that petitioner No.1 carries one more case and petitioner No.2 carries two more cases other than the present one but fairly submits that the petitioners are on bail in all the pending matters, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, police, after investigation, submitted final form in favour of the petitioners, learned court below has taken cognizance against the petitioners and similarly situated co-accused persons have been granted



privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M.-III, Sikrahana at Dhaka in connection with Ghorasahan P.S. Case No.515 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other 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 bonds 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 antecedents, 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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