

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25952 of 2025

Arising Out of PS. Case No.-708 Year-2024 Thana- DARIYAPUR District- Saran

1. Suresh Rai Son of Late Ramjatan Rai Resident of Village- Akilpur, P.S.- Dariyapur, District- Saran
2. Jyotish Rai @ Jyotish Kumar Son of Suresh Rai Resident of Village- Akilpur, P.S.- Dariyapur, District- Saran
3. Chhotu Rai @ Chhote Lal Rai, S/o Suresh Rai Resident of Village- Akilpur, P.S.- Dariyapur, District- Saran
4. Sona Rai @ Sonu Kumar Son of Late Dimgar Rai Resident of Village- Akilpur, P.S.- Dariyapur, District- Saran
5. Manish Rai Son of Late Dimgar Rai Resident of Village- Akilpur, P.S.- Dariyapur, District- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mili Kumari, Advocate
For the State : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Dariyapur PS. Case No.708 of 2024, dated-10.12.2024, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 329(3), 352, 351(2) and 3(5) of the B.N.S., 2023.

3. As per allegation, altercation took place between



the informant and accused side in regard to storage of sand by the informant side leading to injury on both sides and filing of case and counter case.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is case and counter case from both the sides. The counter case lodged by the petitioner is Dariyapur P.S. Case No. 709 of 2024 registered for the offence punishable under Section 126(2), 115(2), 303(2), 329(3), 352, 351(2) and 3(5) of the B.N.S., 2023.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner nos. 1 & 4 have been made accused in two and one other cases respectively, whereas, the petitioner nos.2, 3, & 5 have no criminal antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case and injury on both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest



or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court Below, in connection with Dariyapur PS. Case No.708 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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