

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23303 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- ITARHI District- Buxar

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1. Arvind Rai Son of Janardan Rai Resident of village - Hakimpur Ps- Itarhi, Dist- Buxar
 2. Vinay Rai @ Vinay Kumar Rai son of Shyam Bihari Rai, both Resident of village - Hakimpur PS- Itarhi, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Dr. Kamal Deo Sharma, learned counsel appearing on behalf of the petitioners and Mr. Shantanu Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Itarhi P.S. Case No. 07 of 2025 registered for the offence punishable under Sections 190, 191(2), 109, 303(2), 351(2), 352, 126(2) and 115(2) of the BNS, 2023.

3. As per the allegation made in the F.I.R., all the accused persons named therein including the petitioners had assaulted the informant Baliram Yadav who sustained injury on parietal upper right region of the head.

4. Learned counsel appearing on behalf of the petitioners submitted that it is admitted that the informant



sustained one grievous injury on the vital part of the body and the allegation is that both the petitioners had assaulted the informant. There is case and counter case between the parties. Both the sides sustained injury in the occurrence. The case lodged by the petitioner is prior to the present F.I.R.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioner no.2 in the F.I.R., as well as, the fact that the injury sustained by the informant is only one and there is case and counter case between the parties, I find that the petitioner no.2 Vinay Rai might have caused some injury on the person of the informant in his self defence, the petitioner no.2 has prima facie made out a case to be released on bail.

7. The petitioner no.2 Vinay Rai is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar in connection with Itarhi P.S. Case No. 07 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.



8. So far as petitioner no.1 Arvind Rai is concerned, in view of the nature of allegation against him and his criminal antecedent, I am not inclined to enlarge him on pre-arrest bail.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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