

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29173 of 2025**

Arising Out of PS. Case No.-61 Year-2010 Thana- BHELDI District- Saran

Dwarika Rai @ Dvaarika Ray Son Of Rudal Ray Vill -Bishunpur Piprahi  
Saray, Bhatha Sonho, Ps- Piprahi, Distt -Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate  
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      16-07-2025                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends arrest in a case registered  
for the offence punishable under Sections 147, 148, 342, 323,  
353, 420 and 504 of the Indian Penal Code.

3. The case is instituted on the written report of  
Baleshwar Singh, Rajaswa Karmchari, Anchal Amnour before  
the SHO of Bheldi Police Station against 28 accused as named  
that a Temple was being constructed by encroaching Sairat land  
illegally at Sonho Bazar. On 26.06.2010, S.D.M. Marhowrah,  
Saran visited the spot and directed to stop the construction of  
temple and returned back. Thereafter, the accused persons  
hostage the informant about four hours, misbehaved and abused  
him.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has been made accused in this case due to dirty village politics. He further submits that the present FIR has been lodged after three days of the alleged occurrence for which there is no plausible explanation which itself creates doubt over the veracity of the prosecution case. He further submits that similarly situated co-accused person, namely, Akhileshwar Prasad Singh has been granted the privilege of anticipatory bail by this Court Vide order dated 20.07.2023 passed in Cr. Misc. No. 30771 of 2023. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Exclusive Special Excise



Court, Saran at Chapra in connection with Bheldi P.S. Case No. 61 of 2010, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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