

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29901 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- NAGAR District- Vaishali

1. Sanjay Rai @ Sanjay Kumar S/o- Chandeshwar Ray Resident of Mihalla- Naya tola Pokhra Near Navin Cinema Hall PS- Town, Dist- Vaishali
2. Ajay Rai @ Ajay Kumar S/o- Chandeshwar Ray Resident of Mihalla- Naya tola Pokhra Near Navin Cinema Hall PS- Town, Dist- Vaishali
3. Vinay Rai @ Vinay Kumar S/o- Chandeshwar Ray Resident of Mihalla- Naya tola Pokhra Near Navin Cinema Hall PS- Town, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhola Prasad, Advocate
For the Opposite Party/s	:	Mr.Shailendra Kumar, APP
For the Informant	:	Mrs. Shweta Anand, Advocate
		Mr. Ajit Anand, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-06-2025 1. Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Hajipur Town P.S. Case no.46 of 2025 registered under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) and 3(5) of the B.N.S, 2023.

3. As per the prosecution case, on 15.01.2025 all six named accused persons including the petitioners herein came to the house of the informant variously armed and started abusing the informant. On protest, accused Ajay Rai pressed the throat of the informant and in the meantime, accused Vinay Rai



assaulted the informant with *hasua* due to which he sustained thumb injures. Accused Sanjay Rai also assaulted the informant on his head due to which he sustained injuries. Thereafter, his family members took him to nearby hospital for treatment.

4. Learned counsel for the petitioners submits that the dispute arises out of a land dispute within the family of the petitioners and the informant who are the cousin brothers. There is a long standing dispute with regard to partition of land and a title suit is also pending between the parties. It has further been submitted that there is a counter version of the case as petitioner no.3 Vinay Rai has also filed an F.I.R against the present informant and others and the said document has been annexed as Annexure-P/3 to the present petition. Injury report of the informant has also brought on record by way of Annexure-P/2 to the petition and the same has also been discussed in the bail rejection order which would go to show that the informant received altogether five injuries out of which only one injury which is injury no.3 is said to be grievous in nature while other injuries are said to be simple in nature. The injuries attributable to petitioner nos. 1 and 2 are simple in nature. So far as petitioner no.3 is concerned, the injury attributable to petitioner no.3 although is grievous in nature but on non-vital part of the



body caused by hard and blunt substance. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant on the ground that the informant is assaulted by the present petitioners and he suffered grievous injuries.

6. In view of the entire facts and circumstances of the case, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Hajipur Town P.S. Case no.46 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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