

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35445 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- LAKHAURA District- East Champaran

1. Mukhti Narayan Rai @ Mukhti Rai @ Mukti Rai S/O Late Mahesh Rai R/O Village- Nauranga, P.S- Lakhaura, Distt.- East Champaran.
2. Shiv Pujan Rai @ Poojan Rai S/O Late Mahesh Rai R/O Village- Nauranga, P.S- Lakhaura, Distt.- East Champaran.
3. Shri Narayan Rai S/O Late Mahesh Rai R/O Village- Nauranga, P.S- Lakhaura, Distt.- East Champaran.
4. Maniraj Kumar @ Mani Kumar S/O Mukhti Rai @ Mukhti Narayan Rai R/O Village- Nauranga, P.S- Lakhaura, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Eashita Raj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Lakhaura P.S. Case No. 107 of 2024 dated 05.09.2024 registered for the offences punishable under Section 126(2), 115(2), 109(2), 76, 303(2), 352, 351(3), 103 read with Section 3(5) of the Bhartiya Nyaya Sanhita. Subsequently, Section 103(1) of the B.N.S was added.

3. As per the prosecution case, when the informant's grandson, Deepak Kumar went to drink water from hand



pump located at the door of the co-accused, Ram Awdhesh Rai and due to previous land related enmity, the co-accused, Ram Awdhesh Rai assaulted the informant's grandson. It is further alleged that when the informant and his elder brother, Mangal Rai went to ask them about the incident then the co-accused, Ram Awdhesh Rai started abusing them and on the exhortation of the co-accused, Ram Wakil Rai, the accused Brajesh Rai assaulted the informant's elder brother with lathi on his head due to which he sustained grievous injury and suffered a brain haemorrhage and fell unconscious on the ground. Thereafter, when the informant came to rescue, he was also assaulted with farsa by the co-accused persons Lalando Rai and Akhilesh Rai. When the informant's daughter-in-law came to rescue, the co-accused, Ramnavi Rai outraged her modesty and also assaulted her by catching hold of her hair and dragged her on the ground and snatched a golden chain.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a case and counter-case between the parties. There is no specific allegation against the petitioners rather the specific allegation of assault is against the co-accused,



Brajesh Rai. Nothing has been recovered from the conscious possession of the petitioners. The other co-accused persons have already been granted bail by this court *vide* order dated 19.03.2025 passed in Cr. Misc. No. 1823/2025. The petitioner nos. 1, 2 and 4 have no criminal antecedent whereas the petitioner no. 3 has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran in connection with Lakhaura P.S. Case No. 107 of 2024, subject to conditions as laid down under Section 482(2) of the B.N.S.S. with further condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates



*without reasonable cause, the bail bonds
of the petitioners are liable to be
cancelled.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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