

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31792 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- AKILPUR District- Saran

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1. Arjun Ray @ Arjun Rai S/O Kashi Rai @ Kashi Ray R/O Batrauli, P.s.- Akilpur, Dist.- Saran
 2. Bhuteli Rai @ Bhuteli Kumar Rai S/O Arjun Ray @ Arjun Rai R/O Batrauli, P.s.- Akilpur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2025

Heard Mr. Dheeraj Kumar, learned counsel for the petitioners and Mr. Nand Kishore Prasad, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner submits that petitioner no.1, Arjun Ray @ Arjun Rai has been arrested, hence he seeks permission to withdraw the application for anticipatory bail of petitioner no.2.

3. Permission stands accorded.

4. The present application for anticipatory bail of petitioner no.1, Arjun Ray @ Arjun Rai stands dismissed as withdrawn.

5. The petitioner no.2, Bhuteli Rai @ Bhuteli Kumar is apprehending his arrest in connection with Akilpur P.S. Case



No. 11 of 2024, F.I.R dated 12.02.2024 registered for the offences punishable under Section 147, 149, 323, 427, 448, 307, 379, 504 of the IPC.

6. As per prosecution case as alleged by the informant that the petitioners along with other accused persons, namely, Bhim Rai, Pika Rai, College Rai and Kashi Rai armed with Lathi, Danda and iron rod in inebriated condition trespassed the house of the informant, assaulted him and his father and other family members.

7. Learned counsel for the petitioner submits that the petitioner has got clean antecedent and has falsely been implicated in the present case. The allegation against the petitioner no.2 is that he assaulted on the head of the informant. Although, the informant has received the injury but the injury report suggests that the injury is simple in nature.

8. The learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail of the petitioner no.2 submitting that the informant has received injury on his head though it is found simple in nature.

9. Considering the aforesaid facts and the fact that petitioner has got clean antecedent, the injury caused by him is simple in nature, let the petitioner, above named, in the event of



his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Saran at Chapra in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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