

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32491 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- MASHRAK District- Saran

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1. Bandhu Rai @ Bandhulal Rai @ Bandhu Lal Rai S/o- Late Ramdahin Rai Village- Serukaha Sharukaha Ps- Masrakh Dist- Saran
 2. Javahar Lal Ray @ Jawahir Rai S/o- Late Ramdahin Rai Village- Serukaha Sharukaha Ps- Masrakh Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioners, learned A.P.P for the State and learned counsel for the informant.

2. Learned counsel for the petitioners submits that petitioner no.2 has already been arrested and it has been intimated to this Court *vide* order no.2 dated 20.05.2025 and by the said order, anticipatory bail of petitioner no.2 was dismissed as having become infructuous.

3. The petitioner no.1 is apprehending arrest in connection with Masarakh P.S. Case No. 10 of 2025 lodged on 11.01.2025, for the offence punishable under Sections 126(2), 115(2), 118(1), 352, 351(2), 303(2), 109 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of Chief



Judicial Magistrate, Saran at Chapra.

4. As per the prosecution, FIR has been lodged against eight named accused persons including the present petitioner. It has been alleged in the FIR that all accused persons reached at the house of the informant armed with lathi, danda, dab and assaulted the informant and his son due to which injury has been caused. It has also been alleged that the accused person snatched Rs.1,500/- from the informant.

5. Learned counsel for the petitioner no.1 submits that the petitioner is innocent and has committed no offence. Counsel submits that the allegations levelled against the petitioner is general and omnibus, therefore, benefit of doubt should be provided to the petitioner. Counsel further submits that the petitioner no.1 has no criminal antecedent.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that in the FIR, it has been categorically stated that the petitioner has assaulted the informant's side and accordingly, injury has been caused. Counsel submits that it is true that by iron rod, injury has been caused by Bablu kumar.

7. Learned APP for the State opposes the prayer for bail of the petitioner no.1.



8. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner no.1. Accordingly, the prayer for anticipatory bail of the petitioner no.1 is hereby rejected with liberty that if, he surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner no.1 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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