

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34478 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- PATEPUR District- Vaishali

1. Sanjeev Kumar son of Vindeshwar Ray Village- and Po- Saidpur Police Station- Patepur, Dist- Vaishali
2. Vindeshwar Ray son of Late Ramotar Ray Village- and Po- Saidpur Police Station- Patepur, Dist- Vaishali
3. Sujit Kumar son of Ashok Ray Village- and Po- Saidpur Police Station- Patepur, Dist- Vaishali
4. Anmol Kumar @ Anmol Raj Son of Ashok Ray Village- and Po- Saidpur Police Station- Patepur, Dist- Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Amit Kumar, Adv.
For the State	:	Mr. Lalan Kumar, APP
For the Informant	:	Mr. Mrityunjay Kumar, Adv. Mr. S.P. Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 01-09-2025 At the very outset, learned counsel for the petitioners submits that prayer for anticipatory bail of petitioner no. 1/ Sanjeev Kumar has already been rejected vide order dated 21.05.2025.

2. Heard learned counsel for the petitioners no. 2, 3 and 4 as well as learned A.P.P. for the State.

3. The petitioners are apprehending their arrest in connection with Patepur P.S. Case No. 77 of 2025 registered for the offences punishable under Sections 126, 127(2), 115(2),



118(1), 76, 329(3), 329(4), 303(2), 351(2), 352, 3(5) of Bhartiya Nyaya Sanhita, 2023.

4. As per prosecution case, on the exhortation of petitioner no. 2/ Vindeshwar Rai, petitioner no. 3, 4 and others surrounded the informant and assaulted him with lathi and danda as a result of which informant sustained injury. It is further alleged that when Bhushan Rai came to save the informant, co-accused Sanjeev Kumar assaulted him with lathi due to which he sustained head injury. It is further alleged that petitioners and other armed with deadly weapon came at the door of informant and petitioner no. 2/ Vindeshwar Ray armed with iron rod gave order to his companion and Sanjeev Kumar to enter the house of informant and take away female inmates. Thereafter, co-accused Sanjeev Kumar thrashed informant's grand-daughter Archana Kumari on the ground and tore her clothes. It is further alleged that petitioner no. 4/ Anmol Kumar snatched Mangalsutra and golden chain from the neck of informant's daughter-in-law/ Pinku Devi and assaulted with lathi.

5. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this



case. Learned counsel further submits that there is no specific allegation of assault against the petitioners rather specific allegation of assault is against co-accused Sanjeev Kumar. Petitioner no. 2 is merely an order giver and allegation against petitioner no. 3 and 4 are general and omnibus in nature. In the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioners. Learned counsel further submits that petitioner no. 3 and 4 have no criminal antecedent whereas petitioner no. 2 has four criminal antecedents in which he has been acquitted in three cases and in one case i.e. Patepur P.S. Case No. 72 of 2022, final form has been submitted against him and same is accepted by the trial court, as orally submitted by learned counsel for the petitioners.

6. The learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners and submitted that name of petitioners finds place in the FIR and allegation has already been narrated in the prosecution story and hence, they cannot escape from the liability of said allegation.

7. Considering the facts and circumstances of the case, there is no specific allegation of assault against the petitioners, argument advanced on behalf of both sides and also



taking into consideration the material available on record, the **petitioners no. 2, 3 and 4 (above-named)**, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 77 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

8. The application stands disposed of.

(Alok Kumar Pandey, J)

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