

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35218 of 2025

Arising Out of PS. Case No.-838 Year-2024 Thana- BIDUPUR District- Vaishali

Jawahir Rai S/o Sakal Rai Resident of Village- Bidupurdih, Police Station- Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35500 of 2025

Arising Out of PS. Case No.-838 Year-2024 Thana- BIDUPUR District- Vaishali

1. Dinesh Rai Son of Bindeshwar Rai Resident of village - Bidupurdih, Police Station - Bidupur, District - Vaishali.
2. Manoj Rai Son of Bindeshwar Rai Resident of village - Bidupurdih, Police Station - Bidupur, District - Vaishali.
3. Ajay Rai Son of Bindeshwar Rai Resident of village - Bidupurdih, Police Station - Bidupur, District - Vaishali.
4. Rajiv Kumar Son of Rajesh Rai Resident of village - Bidupurdih, Police Station - Bidupur, District - Vaishali.
5. Satish Kumar @ Satish Rai Son of Rajesh Rai Resident of village - Bidupurdih, Police Station - Bidupur, District - Vaishali.
6. Bindeshwar Rai Son of Sakal Rai Resident of village - Bidupurdih, Police Station - Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35218 of 2025)

For the Petitioner/s : Mr.Sweety Sinha

For the Opposite Party/s : Mr.Surendra Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 35500 of 2025)

For the Petitioner/s : Mr.Sweety Sinha

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



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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 19-09-2025 Heard learned counsel for the petitioners as well as
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bidupur P.S. Case No. 838 of 2024, registered for the offences punishable under Sections 132, 121(1), 121(2), 333, 109, 56, 3(5) of the BNS and Sections 8, 20(B)(ii)(c)/ 29 of the NDPS Act.

3. According to the allegation, the petitioner (in Cr. Misc. No. 35218 of 2025) Jawahir Rai and his daughter-in-law Sinku Devi were engaged in illegal business of smack. The police raided the house of the petitioner Jawahir Rai and his daughter-in-law co-accused Sinku Devi was arrested but later on petitioner Jawahir Rai escaped from the clutches of police. 4.62 grams of smack were recovered from the house of the petitioner Jawahir Rai. The allegation against the other petitioners is that they attempted to rescue the arrested persons.

4. The learned counsel for the petitioners has submitted that the petitioners are the persons of clean antecedent and they have falsely been implicated in the present case. It is further submitted that there is no allegation of carrying or



possessing any kind of contraband against the petitioners, except Jawahir Rai. The only allegation against them is that they have attempted to rescue the arrested accused persons.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the above-mentioned facts and circumstances, the prayer of the *petitioner Jawahir Rai (in Cr. Misc. No. 35218 of 2025) is hereby rejected.*

7. So far as these petitioners *(in Cr. Misc. No. 35500 of 2025)* are concerned, the allegation against them is that they attempted to rescue co-accused Sinku Devi from the hands of police. Other accused persons on the similar ground have been granted anticipatory bail vide order dated 20.08.2025 passed in Cr. Misc. No. 37361 of 2025.

8. Considering the above-mentioned facts and circumstances, especially the clean antecedent of the petitioners, let the petitioners *except the petitioner Jawahir Rai (in Cr. Misc. No. 35218 of 2025)*, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions



Judge, Vaishali, Hajipur in connection with Bidupur P.S. Case
No. 838 of 2024, subject to the conditions as laid down under
Section 438(2) Cr.P.C/ 482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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