

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39306 of 2025

Arising Out of PS. Case No.-739 Year-2024 Thana- AHİYAPUR District- Muzaffarpur

Bindeshwar Rai Son of Harihar Rai Resident of Village - Mustafapur, P.S.-
Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate
For the State : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 302, 447, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on 02.06.2024, all the F.I.R. named accused persons, including this petitioner, variously armed, came to house of informant, abused them and on protest, assaulted husband and son of informant with *lathi*, *danda* and iron rod as a result of which they sustained injuries and during course of treatment, son of informant died.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that it was co-accused Uday Rai and Bhutta Rai who assaulted son of informant, who died during course of treatment. So far as this petitioner is concerned, he is not the assailant of the deceased. As per prosecution case, this petitioner, along with co-accused Chandeshwar Rai, is only alleged to have caught hold of the deceased. It is further submitted that similarly situated co-accused person, namely Chandeshwar Rai, has already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 09.07.2025 passed in Cr. Misc. No. 27361 of 2025. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 739 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

