

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39429 of 2025

Arising Out of PS. Case No.-494 Year-2021 Thana- VAISHALI District- Vaishali

1. Satish Kumar S/O Jimdar Rai
2. Anjan Kumar S/O Rameshwar Rai
3. Lalbabu Kumar S/O Satahu Rai
All Resident of Village- Sorhattha, P.S.- Belsar OP, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-07-2025 Heard Mr.Santosh Kumar, learned counsel for the
petitioners and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Vaishali (Belsar O.P.) P.S.Case No.494 of 2021, FIR dated 11.12.2021 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 337, 427, 454, 380, 307, 504, 506, 452 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they alongwith about 250 persons assaulted the informant and other persons and the injuries found upon the victims are simple in



nature.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that the FIR has been instituted against 79 named persons and more than 250 unknown persons and petitioners are among the named persons and from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners and specific allegation of assault firing is attributed against co-accused person, namely, Virendra Rai, Vijay Ray, Pappu Ray and Mukesh Ray and similarly situated co-accused persons, namely, Sudhanshu Ray and others have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 10.01.2023 passed in Cr. Misc. No.61923 of 2022 and its analogous case and co-accused persons, namely, Manjay Ray @ Manjay Kumar Ray and others have also been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 31.01.2023 passed in Cr. Misc. No.70890 of 2022 respectively.

5. Learned A.P.P. for the State, on the other hand, has



vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioners and similarly situated several co-accused persons have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court, let the petitioners, above named, in the event of their 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)each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S.Case No.494 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482 (2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.



(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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