

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39818 of 2025**

Arising Out of PS. Case No.-110 Year-2025 Thana- DESARI District- Vaishali

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1. Baijnath Rai @ Baidhnath Rai, aged about 61 yrs, S/o- Palakh Rai Village- Pohiyar Bujurg, P.S- Sahdai Dist- Vaishali
  2. Mohabia Rai, aged about 50 yrs, S/o- Ram Narayan Rai Village- Pohiyar Bujurg, P.S- Sahdai Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                                                  |
|--------------------------|---|------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Dharendra Prasad Sinha, Advocate<br>Mr. Rina Sinah, Advocate |
| For the Opposite Party/s | : | Mr. Sanjay Kumar Tiwary, APP                                     |

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      25-06-2025                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Desari P.S. Case No.111 of 2025 registered for the offences punishable under Sections 115(2), 117(2), 126(2), 351(2), 109(1) and 3(5) of B.N.S.

3. Allegation against the petitioners and other co-accused persons is to have assaulted the informant and his family members by means of pistol, *garansa*, *sawal* and sword due to which informant and his family members sustained various injuries.

4. Learned counsel for the petitioners submits that petitioners have been falsely been implicated in this case. He further submits that the present case has been lodged



against the petitioners due to previous enmity and land dispute and there is case and counter case between the parties. He further submits that allegation as alleged against the petitioner no. 2 is to have assaulted the injured, Tarani Rai by means of iron rod but from perusal of the injury report, it appears that injuries sustained by the injured, namely, Tarani Rai are simple in nature, caused by hard and blunt substance. He next submits that petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail of the petitioners.

6. From perusal of the F.I.R., injury report and impugned order dated 20.05.2025, it appears that injuries sustained by the injured, namely, Tarani Rai are simple in nature. So, considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with



two sureties of the like amount each to the satisfaction of  
learned Chief Judicial Magistrate, Vaishali at Hajipur in  
connection with Desari P.S Case No. 111 of 2025 subject to  
the condition laid down under Section 482(2) of B.N.S.S.

**(Ramesh Chand Malviya, J)**

Harshita/-

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