

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43557 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- RIVILGANJ District- Saran

-
1. Durgesh Kumar Rai @ Durgesh Rai @ Dhari Rai S/o Ganesh Rai R/o Vill- Jantola, P.S.- Revilganj, Distt- Saran at Chapra
 2. Kariman Rai @ Amrendra Kumar S/o Ganesh Rai R/o Vill- Jantola, P.S.- Revilganj, Distt- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Revilganj P.S. Case No. 43 of 2025 dated 05.02.2025 registered for the offence punishable u/ss 126(2), 115(2), 118(1), 117(2), 118(2), 109(1), 352 read with Section 3(5) of the B.N.S. and Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, on 05.02.2025, the informant was returning to his house and when he reached ahead 200 meters from the village, in the meantime, the petitioner, Dhari Rai and the co-accused persons namely Chini



Rai, Pampi Rai and Manish Rai surrounded the informant and abused him and with the intention to kill, they started indiscriminate firing on him which hit his right side of the chest. It is further alleged that all the named accused persons and the other 20-25 accused persons armed with lathi-danda entered the house of Arun Mahto and started assaulting them and due to that Munni Devi sustained head injury. It is further alleged that the reason behind the occurrence is alleged to be previous enmity.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a land dispute between the parties. Nothing has been recovered from the conscious possession of the petitioners. It is further submitted that there is no specific allegation against the petitioners. Learned counsel has further submitted that the injured, Munni Devi sustained injury which is simple in nature caused by hard blunt substance. The petitioner no. 1 has two criminal antecedents whereas the petitioner no. 2 has three criminal antecedents and the petitioners are on bail in the aforesaid cases as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners and



submitted that the petitioner no. 1, Dhari Rai and the other co-accused persons fired on the informant due to which he sustained gun shot injury on his chest. It is further submitted that the petitioner no. 2, Kariman Rai @ Amrendra Kumar along with 20-25 persons assaulted Munni Devi due to which she sustained head injury. As per the impugned order, the witnesses at para nos. 7, 10, 11 and 12 of the case diary have supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner no.2 namely, Kariman Rai @ Amrendra Kumar, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saran at Chapra in connection with Rivilganj P.S. Case No. 43 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed with regard to the petitioner no.2 namely, Kariman Rai @ Amrendra Kumar.

8. So far as, the petitioner no. 1 namely, Durgesh Kumar Rai @ Durgesh Rai @ Dhari Rai is concerned, considering the heinous nature of allegation made against him in



the F.I.R., I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the the petitioner no. 1 namely, Durgesh Kumar Rai @ Durgesh Rai @ Dhari Rai to surrender before the concerned Court below within six weeks from the date of this order and the learned Court below may consider his prayer for regular bail on its own merit in accordance with law without being prejudiced by this order.

9. Accordingly, the application with regard to the petitioner no. 1 namely, Durgesh Kumar Rai @ Durgesh Rai @ Dhari Rai stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

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

