

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48844 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- Chakki District- Buxar

-
1. Satyanarayan Rai @ Satyanarayan Singh S/o Late Ram Govind Rai R/o Village- Chakki Chuni Dera, P.S- Chakki, Distt.- Buxar
 2. Sunil Rai @ Sunil Kumar Singh S/o Satyanarayan Rai R/o Village- Chakki Chuni Dera, P.S- Chakki, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-08-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chakki Police Station Case No. 05 of 2024, dated 26.08.2024, disclosing offences under Sections 191(2)/191(3)/190/109/115(2)/118(1)/125/126(2)/352/351 (2)&(3) of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 26.06.2024, at about 12:00 PM, while the



informant was ploughing his field, the petitioners, along with other accused persons, total 20 in numbers, armed with rifle, pistol, spear and other weapons, arrived there and attacked the informant and others. Co-accused Kamlesh Rai fired bullet from his rifle which hit on left leg of informant's uncle, namely, Tarkeshwar Rai and the petitioner no. 1 gave spear blow on the right leg of Tarkeshwar Rai. There is no specific allegation against the petitioner no. 2.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case as counter blast to the First Information Report lodged by the side of the petitioners, bearing Chakki Police Station Case No. 04 of 2024, against the informant and others, in which the petitioner no. 1 has sustained fire-arm injury on his abdomen and two other persons of the side petitioners have also sustained fire-arm injury, which would be evident from Annexure-4 series to this application. Referring to the injury report, annexed at Annexure-P/2 of the victim Tarkeshwar Rai, learned counsel submits that injury sustained by him on right leg is simple in nature.



5. On the other hand, learned counsel for the informant opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no. 1 of assault by spear on right leg of Tarkeshwar Rai.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that injury sustained by Tarkeshwar Rai (informant's uncle) is simple in nature and in the FIR, lodged by the side of the petitioners, the petitioner no. 1 has sustained fire-arm injury on his abdomen, the FIR lodged by the side of the petitioners is prior in time and there is no specific allegation against the petitioner no. 2, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate First Class, Buxar, in connection with Chakki Police Station Case No. 05 of 2024, subject to the condition laid down under Section 482 (2) of the Bhartiya



Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

ashwani/-

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

