

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48101 of 2025

Arising Out of PS. Case No.-15 Year-2014 Thana- MADHUBAN District- East Champaran

Kishori Rai, S/o Late Saryug Rai, R/o Village- Nandi Ram Chhapra (Jogaulia
Tola Nandi Ram), P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the State : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Madhuban P.S. Case No. 15 of 2014, dated 24.01.2024, registered for the offences punishable under Sections 147, 148, 186, 187, 188, 189, 307, 332, 333, 341, 353, 504, 323 and 427 of the Indian Penal Code.

3. As per allegation, one person got dead in a motor accident and hence, road was blocked by well wishers of the deceased. When the police reached the place of occurrence, the people assembled there and protested against them and started abusing and assaulting. The matter was pacified somehow by the police and dead body was taken to the hospital for postmortem. The petitioner is one of the persons who is



allegedly involved in assaulting the police.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not present at the place of occurrence and his name has transpired only on the basis of suspicion. He further submits that similarly situated co-accused person has already been enlarged on anticipatory bail vide order dated 12.04.2022, passed by a co-ordinate Bench of this Court in Cr. Misc. No. 43739 of 2021.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Madhuban P.S. Case No. 15 of 2014, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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