

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46885 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- RAGHOPUR District- Vaishali

Niti Rai @ Nitish Rai @ Nitish Kumar, Son of Alakhdeo Rai, Resident of village - Rampur Shyamchandra, P.S.- Raghapur, District - Vaishali, Presently Resident of village - Kachchidargah, P.S.- Nadi Thana, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Khushi Awadh, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Raghapur P.S. Case No.89 of 2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 262, 263, 121(1), 121(2), 132, 109, 158 and 351(2) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is in custody since 28.05.2025.

4. As per FIR, when police team reach to village of petitioner to apprehend the accused person of Raghapur P.S. Case No.142 of 2024, the petitioner along with other co-



accused persons pelted stones upon the police raiding party and also one of the co-accused assaulted on the hand of police personnel causing injuries.

5. It is submitted by learned counsel appearing for the petitioner that the petitioner has been falsely implicated with present case out of local village politics and enmities, as he is the neighbour of the accused of Raghapur P.S. Case No. 142 of 2024. It is submitted that allegation to assault police persons is specifically available against co-accused Vipul Kumar, whereas the allegation of assault is appearing very much general and omnibus against rest of the accused persons and, therefore, considering this aspect, one co-accused Radha Kumari facing similar allegation was granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.44249 of 2025 dated 25.07.2025. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a man of clean antecedent.



6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation of physical assault is appearing very much general and omnibus against petitioner, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 28.05.2025, accordingly, the petitioner, above-named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Raghopur P.S. Case No.89 of 2025 subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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