

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49948 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Baidyanath Rai @ Machar Rai Son of Late Khamir Rai Resident of Village- Rahsha West PS -Bhagwanpur, District-Vaishali
2. Krishna Rai @ Kishan Kumar @ Krisha Rai Son of Baidyanath Rai @ Machar Rai Resident of Village- Rahsha West PS -Bhagwanpur, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-12-2025 1. Heard learned counsel for the petitioners and

learned A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 126(2), 115, 109, 117, 351(2), 352 and 3(5) of the BNS and subsequently Section 103(1) of the BNS was added.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of one case and the informant alleges that Pradip Das was performing Puja in the temple while the accused persons including the petitioners were drinking in the premises of the temple and when Pradip Das objected, the accused persons assaulted him and when the informant came to save him



Sudhir Kumar along with other accused persons assaulted the informant indiscriminately by rod on his head causing injury and fracture of hand. Further, when Mukesh and Shivshankar came to save them, they were also assaulted and threatened.

4. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assault is against Sudhir Kumar and as far as petitioners are concerned, the allegation against them of assaulting the deceased and the injured is general and omnibus in nature. It is further submitted that petitioners are in custody since 16.03.2025 and charge-sheet has already been submitted. It is next submitted that if the privilege of regular bail is granted, the petitioners will not abscond rather will cooperate in the trial to prove their innocence.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection



with Bhagwanpur P.S. Case No. 74 of 2025.

7. It is made clear that if the learned trial court comes to a conclusion that petitioners, after their release on bail, are trying to delay the framing of charge or after framing of charge are trying to delay the trial of the case in any manner the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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