

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49388 of 2025

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

1. Sudhir Kumar Son of Baidyanath Rai @ Machar Rai Resident of Village-Rahsha West PS-Bhagwanpur District- Vaishali
2. Ranjan Kumar son of Suresh Rai Resident of Village-Rahsha West PS-Bhagwanpur District- Vaishali
3. Suresh Rai son of Late Khamir Rai Resident of Village-Rahsha West PS-Bhagwanpur District- Vaishali
4. Chandan Kumar son of Suresh Rai Resident of Village-Rahsha West PS-Bhagwanpur District- Vaishali
5. Aman Kumar Son of Mantu 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
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Bhagwanpur P.S. Case No. 74 of 2025 registered for the
offences punishable under Sections 126(2), 115, 109, 117,
351(2), 352, 3(5) and 103(1) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that
petitioner No. 1 has antecedent of one case, petitioner Nos. 2
and 5 are persons with clean antecedent and petitioner Nos. 3



and 4 have antecedent of two cases and the informant alleges that while Pradeep Das was performing puja in the temple, when the accused persons including the petitioners were drinking in the temple premises, when Pradeep Das objected on which all the accused assaulted him, further when the informant came to save him, Sudhir along with other accused assaulted indiscriminately by rod on head causing injury and fracture of hand, further when Mukesh came to save them, he was also assaulted and threatened.

4. The Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that specific allegation of assault is against Sudhir and the allegation of assault against other accused persons are general and omnibus in nature.

5. The Learned APP opposes anticipatory bail application and submits that on account of assault, Pradeep Das died and informant suffered fracture of nasal bone and the injury was opined to be grievous. It is next submitted no doubt the allegation of assault is not specific, but then the informant alleges that the petitioners were drinking in temple premises which was objected by Pradeep Das on account to which he was assaulted leading to his death and when the informant



intervened, he was also assaulted leading to grievous injury.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Satyavrat Verma, J)

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