

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51009 of 2025**

Arising Out of PS. Case No.-42 Year-2025 Thana- BACHHWARA District- Begusarai

Birender Kumar Rai @ Vilinder Kumar @ Virendra Kumar @ Virendra Kumar Roy Son of Shri Ram Udesb Ray @ Ram Udesb Rai Village- Chiraiya tok, Ward no. 12 Makra Tole, Ps- Bachhwara, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      28-11-2025                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 115(2), 127(1), 117(2), 109, 303(2), 3(5), 351 of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation in the first information report is that the petitioners along with other co-accused persons came variously armed and threw the informant off the bridge causing injury to him.

4. Learned counsel for the petitioner submits at the outset that the first information report has been filed after an inordinate delay of 7 days for which no explanation has been tendered. Further, both the parties are agnates and there is also a case and counter case. It has further been submitted that there are general and omnibus allegations against the petitioner and the specific allegation of assault with regard to iron rod is confined to



co-accused, namely Arvind Ray which has caused an injury on the left elbow of the informant. Further, the petitioner is in custody since 22.05.2025 and charge-sheet has been submitted and similarly situated co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court vide 31.07.2025 passed in Cr. Misc. No.47368 of 2025.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report.

6. Taking into consideration the facts and circumstances as also considering the fact that there are general and omnibus allegations coupled with the inordinate delay and also considering that the petitioner with no criminal antecedent has been in custody since 22.05.2025 and similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court, let the above named petitioner, 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 Chief Judicial Magistrate, Begusarai/concerned Court below in connection with Bachhwara P.S. Case No. 42 of 2025.

**(Soni Shrivastava, J)**

anand/-

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