

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50159 of 2025**

Arising Out of PS. Case No.-802 Year-2024 Thana- GARKHA District- Saran

- 
1. Subodh Rai @ Subodh Kumar S/o Ram Chhapitt Rai R/o Vill- Tahaltola, P.S.- Garkha, Distt- Saran
  2. Dharmendra Rai S/o Gautam Rai R/o Vill- Tahaltola, P.S.- Garkha, Distt- Saran
  3. Dilip Kumar @ Dilip Rai S/o Bhuneshwar Rai R/o Vill- Tahaltola, P.S.- Garkha, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Adv.  
For the Opposite Party/s : Mr. Upendra Kumar, APP

---

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      11-08-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest in connection with Garkha P.S. Case No.802 of 2024, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 132, 324(4) and 5 of the BNS.

3. The FIR has been instituted against sixteen named and fifty unknown accused persons, with an allegation, all of them, including the petitioner intercepted a tractor and assaulted its driver as well as police personnel and also damaged their vehicles on account of accident, resulting into death of one



pedestrian.

4. Learned Advocate for the petitioners submitted that there is omnibus nature of allegation against all the FIR named and unidentified persons. No specific allegation of overt act is attributed against these petitioners. The injuries, which are said to have been received are found to be simple in nature. Taking note of the aforesaid facts, other co-accused persons facing similar allegation, have been accorded the privilege of anticipatory bail by a learned co-ordinate Bench of this Court vide order dated 31.07.2025 passed in Cr. Misc. No.46574 of 2025 and another analogous case, the copy of which has been placed on record.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that apart from the criminal antecedent of the petitioners as has been disclosed in para-3 of the bail application, they have actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the case of the petitioners is based on parity, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court



below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No.802 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

**(Harish Kumar, J)**

rohit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

