

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56946 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- BARHARA District- Bhojpur

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1. Rishabh Kumar Singh @ Rishabh Singh @ Ganesh Kumar Singh S/O Mana Singh @ Dilip Kumar Singh R/O Village-Keshopur, PS-Barhara, Distt-Bhojpur
 2. Anish Singh @ Jagdish Kumar @ Jagdish Kumar Singh @ Anish Kumar S/O Vinod Singh R/O Village-Keshopur, PS-Barhara, Distt-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar Singh, Advocate
For the State : Mr. Kanhaiya Kishore (APP-100)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Heard Mr. Niraj Kumar Singh, learned counsel for the petitioner and learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Barhara P.S. Case No. 85 of 2025 registered for the offence under Sections 126(2), 329(3), 109, 352, 351(2) and 3(5) of the B.N.S. and section 27 of the Arms Act, lodged on 27.04.2025 by the informant, Monika Kumari.

3. As per the prosecution story, the informant alleged that while she was sitting at her house door, the accused persons came and called for her nephew Niranjan Ray, upon her protest, they resorted to firing which hit the wall, she anyhow locked the



door and saved herself, they threatened to kill her nephew one day. This dispute is due to dance program in the Tilak Ceremony at the informant's house earlier. This led to the F.I.R.

4. Learned counsel for the petitioners submit that exaggerated F.I.R. is there, in fact, they themselves resorted to firing, both the petitioners do not have criminal antecedent and the last submissions is that without accepting the allegation or outcome of the petition the petitioners intend to pay Rs.5,000/- each (totaling Rs.10,000/-) by Demand Draft issued by the local branch of the State Bank of India to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer for bail submitting that the wall was hit by the cartridge.

6. Considering the submissions of the parties, though the allegation is there, it is unfortunate that even on petty issues, such incident takes place, F.I.R. is there, they shall be facing the music, both are young persons, have no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.5,000/- each (totaling Rs.10,000/-) by Demand Draft issued by the local branch of State Bank of India to the Chief Minister's Relief Fund and the receipt has to be submitted before the Trial Court .



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Barhara P.S. Case No. 85 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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