

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55881 of 2025

Arising Out of PS. Case No.-82 Year-2024 Thana- Raghunathpur District- East Champaran

1. Indu Devi W/o Bhanu Raut R/o - Balganga, P.S - Raghunathpur, District - East Champaran
2. Anup Kumar @ Anup Raut S/o Bhanu Raut R/o - Balganga, P.S - Raghunathpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Advocate Mrs. Purna Rishi, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Raghunathpur P.S. Case No. 82 of 2024, lodged on 19.08.2024, under Sections 118(1)/109/303(2) / 115(2)/352/351(2)/3(5) of B.N.S. 2023.

3. As per the prosecution, the FIR has been lodged against three named accused persons with allegation that they along with other co-accused assaulted the husband of the



informant and there is specific allegation that petitioner Anup Raut and co-accused Manu Raut assaulted to the husband of informant with axe on his head.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Counsel submits that the antecedents of the petitioners are clean. Counsel submits that the informant has made general and omnibus allegation against the accused persons. Counsel submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is specific allegation of assault on the head of the informant by axe is against Anup Raut and co-accused Manu Raut.

6. Considering the fact that there is direct allegation of assault against the petitioner No.2, hence, anticipatory bail application of petitioner No.2 is hereby rejected. However, in the event of surrender of the petitioner within six weeks from today, the prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

7. As far as petitioner No.1 is concerned, in the present facts and circumstances of this case, let the above



named petitioner No.1 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M.-IX, East Champaran, Motihari, in connection with Raghunathpur P.S. Case No.82 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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