

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56432 of 2025**

Arising Out of PS. Case No.-507 Year-2024 Thana- MADHAURAH District- Saran

1. Ram Nath Rai S/O Dev Kumar Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
2. Sudhir Rai @ Sudhir Kumar S/O Parmeshwar Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
3. Parmeshwar Rai S/O Ram Balak Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
4. Chandeshwar Rai S/O Ram Balak Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
5. Shankar Rai S/O Late Mathura Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
6. Shiv Dhari Rai S/O Late Rekha Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
7. Umesh Kumar Yadav @ Umesh Rai S/O Shivdhari Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.
8. Mannu Kumar Yadav @ Manu Rai S/O Chandeshwar Rai R/O Village- Karpura, P.S- Madhowrah, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar, Advocate  
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      08-09-2025                      Heard the parties.

2. The petitioners apprehend their arrest in connection with Marhaura P.S. Case No. 507 of 2024 for the offence registered under sections 191(2), (3), 190, 126(2), 115(2), 118(1), 303(1), 109(1), 351(2), 352 of the B.N.S. lodged on 11.09.2024 by the informant, Vijay Tiwary.

3. As per the prosecution story, the informant alleged



that after the panchayati, as they were returning, the accused persons intercepted and the allegation is that Shankar Rai gave knife blow on the stomach of Ajay Tiwary and Dheeraj Tiwary was also assaulted by rod by Biki Sah on the head and hand Anand Rai opened fire which did not hit anyone. Further, the omnibus allegation of assault is attributed to everyone. They were shifted to Marhaura Government Hospital, later allegation is that as they were going to Marhaura, again the accused persons assaulted Munna Tiwary and Suraj Tiwary. The allegation is that they suffered injuries, this led to the FIR.

4. Learned Counsel for the petitioners submits that omnibus allegation of assault is against the accused persons, none of them have criminal antecedent and the exaggerated FIR is there.

5. Learned APP for the State, on the other hand has opposes the prayer for anticipatory bail pointed out that Shankar Rai gave knife blow on the stomach. The injuries have not been found to be grievous in nature.

6. Considering the submissions of the parties as also the fact that main allegation of assault is on the Shankar Rai (petitioner no. 5), his anticipatory bail application stands rejected.



7. So far as the other accused persons are concerned, the omnibus allegation is there, none of them have criminal antecedent, it has been submitted that injuries on the others have not been found to be grievous, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

8. However, the Court concerned while accepting the bail bond, if the petitioners prefer the same shall ensure about their criminal antecedent as also the injuries suffered by the informant side.

9. Let the petitioner no. 1 Ram Nath Rai, petitioner no. 2 Sudhir Rai, petitioner no. 3 Parmeshwar Rai, petitioner no. 4 Chandeshwar Rai, petitioner no. 6 Shiv Dhari Rai, petitioner no. 7 Umesh Kumar Yadav, petitioner no. 8 Mannu Kumar in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saran at Chapra in connection with Marhaura P.S. Case No. 507 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner no. 1 Ram Nath Rai,



petitioner no. 2 Sudhir Rai, petitioner no. 3 Parmeshwar Rai, petitioner no. 4 Chandeshwar Rai, petitioner no. 6 Shiv Dhari Rai, petitioner no. 7 Umesh Kumar Yadav, petitioner no. 8 Mannu Kumar, who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 1 Ram Nath Rai, petitioner no. 2 Sudhir Rai, petitioner no. 3 Parmeshwar Rai, petitioner no. 4 Chandeshwar Rai, petitioner no. 6 Shiv Dhari Rai, petitioner no. 7 Umesh Kumar Yadav, petitioner no. 8 Mannu Kumar 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 his bail bond by the Trial court itself;

(iii) the petitioner no. 1 Ram Nath Rai, petitioner no. 2 Sudhir Rai, petitioner no. 3 Parmeshwar Rai, petitioner no. 4 Chandeshwar Rai, petitioner no. 6 Shiv Dhari Rai, petitioner no. 7 Umesh Kumar Yadav, petitioner no. 8 Mannu Kumar shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner no. 1 Ram Nath Rai, petitioner no. 2 Sudhir Rai, petitioner no. 3 Parmeshwar Rai, petitioner no. 4 Chandeshwar Rai, petitioner no. 6 Shiv Dhari Rai, petitioner no. 7 Umesh Kumar Yadav, petitioner no. 8 Mannu Kumar 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 petitioner no. 1 Ram Nath Rai, petitioner no. 2 Sudhir Rai, petitioner no. 3 Parmeshwar Rai, petitioner no. 4 Chandeshwar Rai, petitioner no. 6 Shiv Dhari Rai, petitioner no. 7 Umesh Kumar Yadav, petitioner no. 8 Mannu Kumar shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Rajiv Roy, J)**

Raj Ranjan/-

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