

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56561 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- Krishnabraham District- Buxar

1. Niraj Dubey @ Neeraj Kumar Dubey S/O Shyam Narayan Dubey @ Narayan Dubey R/O Village- Barka Dhakaich, P.S.- Krishna Brahm, District- Buxar
2. Ritesh Pandey @ Ritesh Kumar Pandey S/O Sudarshan Pandey R/O Village- Barka Dhakaich, P.S.- Krishna Brahm, District- Buxar
3. Ritik Dubey @ Danger Dubey S/O Sushil Dubey R/O Village- Barka Dhakaich, P.S.- Krishna Brahm, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate.

For the Opposite Party/s : Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 17-12-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Krishna Brahm P.S. Case No. 77 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 303(2), 109, 352, 351(2) and 3(5) of the BNS and Sections 25(1-b)a and 37(b) of the Arms Act.

3. As per the allegation made in the F.I.R., all the accused persons including the petitioners are said to have entered into the hotel of the informant with illegal fire arms and under influence of alcohol they assaulted the informant. It is alleged against the petitioner Niraj Pandey that he had assaulted



by means of butt of katta and co-accused Sudhir Dubey and the petitioner Ritesh Pandey assaulted the informant by means of pistol causing head injury and the petitioner Ritik Dubey assaulted him by means of iron pipe. It is alleged that the petitioner Ritesh Pandey took away Rs. 55,000/- from the cash counter of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have committed no offence as alleged in the F.I.R. The allegation levelled against the petitioners is not specific rather general and omnibus. The injury sustained by the victim is simple in nature. Nothing incriminating has been recovered from the conscious physical possession of the petitioners.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation against the petitioner no.2 Ritesh Pandey who is alleged to have assaulted on the head of the informant by means of pistol, I am not inclined to enlarge the petitioner no.2 on pre-arrest bail.

7. So far as petitioner nos. 1 and 3, namely, Niraj Dubey @ Neeraj Kumar Dubey and Ritik Dubey @ Danger Dubey are concerned, considering the nature of allegation made



against them to be general and omnibus and injury sustained by the victim is not attributable to them, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the 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 CJM, Buxar in connection with Krishna Brahm P.S. Case No. 77 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner nos. 1 & 3 and if it is found that the petitioner nos. 1 & 3 are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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