

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61882 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Bipul Kumar @ Vipul Kumar S/O Nawalak Ray @ Navalak Ray Resident Of Village- Shyamchand, P.S- Raghapur, Distt.- Vaishali at Hajipur.
2. Bipin Kumar @ Vipin Kumar S/O Nawalak Ray @ Navalak Ray Resident Of Village- Shyamchand, P.S- Raghapur, Distt.- Vaishali at Hajipur.
3. Sita Devi @ Reeta Devi W/O Nawalak Ray @ Navalak Ray Resident Of Village- Shyamchand, P.S- Raghapur, Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Sachin Kumar, learned counsel for the petitioners and Mr. Shyam Bihari Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Raghapur P.S. Case No. 89 of 2025, F.I.R. dated 31.03.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 262, 263, 121(1), 121(2), 132, 109, 158, 351(2) of the B.N.S.

3. Allegation against the petitioners is that they along with other co-accused persons armed with various weapons intervened and obstructed the police personnel in discharging of



their official duty with the intention of facilitating the escape of the apprehended accused. It is further alleged that co-accused Vipul Kumar assaulted the informant, an Assistant Sub-Inspector of Raghapur Police Station, with an iron rod, causing injury on his hand.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation and the specific allegation of assault attributed against the accused persons namely, Vipul Kumar and Bipin Kumar. He further submits that co-accused person namely Radha Kumari against whom the similar allegation has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 25.07.2025 passed in Cr. Misc. No. 44249 of 2025 and apart from that the injury report of the injured person suggests that the injury is simple in nature.



5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and apart from that the petitioners carry one more case other than the present one.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioners and the injury inflicted upon the injured person is simple in nature as well as co-accused person has been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 89 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the



Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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