

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61676 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- DERNI BAZAR District- Saran

- 1 . Dheeraj Rai S/O Yogendra Rai @ Bhogendra Rai Residence of Village - Khirkiya, P.S.- Derni, Dist.- Saran at Chapra
2. Kunal Kumar S/O Umesh Rai Residence of Village - Khirkiya, P.S.- Derni, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 191 (1) , 191 (2), 191 (3) , 115 (2), 303 (2), 74, 329 (4), 109 (1) , 352, 351 and 3 of the BNS and 27 of Arms Act.

3 . As per the prosecution case , informant namely , Chandan Kumar alleged that on 16.01.2024 at about 11 O' Clock , all the F.I.R. named accused persons including these petitioners armed with *desi rifle* , *katta*, sword, *bhujali* and iron rod came at the house of informant with a view to loot and commit dacoity. Upon protest, co-accused Manoj Ray started



firing with *desi katta*, co-accused Suman Ray assaulted informant with butt of pistol and other co-accused persons also assaulted informant. It is further alleged that accused persons misbehaved with the female family members of informant and also took out Rs. 1,90,000/- from informant.

4. It is submitted on behalf of the petitioners that specific allegation is against co-accused Manoj Rai and Suman Kumar who attempted to fire but missed. Allegation is general and omnibus against these petitioners. Case and counter case . Counter version of the case was filed earlier in point of time . Rest of the allegations are ornamental in nature to make the case grave in nature . Petitioners claim clean antecedent.

5 . Learned counsel for the State oppose the bail petition .

6 Considering the general and omnibus allegation against these petitioners, clean antecedent of these petitioners and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class Saran at Chapra in connection with Derni



Bazar P.S. Case No. 245 of 2024 , subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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