

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65402 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- CHANDI District- Bhojpur

1. Lal Babu Rai Son of Late Baijnath Rai Resident of Village- Khangaon, P.S.- Chandi, District- Bhojpur.
2. Rakesh Babu Rai @ Rakesh Babu Son of Ram Babu Rai Resident of Village- Khangaon, P.S.- Chandi, District- Bhojpur.
3. Rita Devi Wife of Lal Babu Rai Resident of Village- Khangaon, P.S.- Chandi, District- Bhojpur.
4. Phul Kumari Wife of Ram Babu Rai Resident of Village- Khangaon, P.S.- Chandi, District- Bhojpur.
5. Kanchan Kuar Wife of Late Shyam Babu Rai Resident of Village- Khangaon, P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-09-2025 Heard Mr. Bachan Jee Ojha, learned counsel

 appearing on behalf of the petitioners and Mr. Choubey

 Jawahar, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Chandi P.S. Case No. 71 of 2025 registered under Sections
191(2), 191(3), 190, 126(2), 115(2), 109, 118(1), 352, 351(2) of
the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, the
petitioners along with 8-10 co-accused with a common intention



assaulted the informant and his family members, with deadly weapons, in which the informant and his family members sustained injury.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. Learned counsel submitted that specific allegation is against one Vikash Kumar. There is case and counter case between the parties arising out of the same incidence. A general and omnibus allegation has been leveled against the petitioners. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case lodged between the parties arising out of the same incidence, a general and omnibus allegation has been leveled against the petitioners, the petitioners are having clean antecedent, I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on anticipatory bail

7. The learned District Court is directed to release the



petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court 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 Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Chandi P.S. Case No. 71 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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