

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64898 of 2025

Arising Out of PS. Case No.-989 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

-
1. Ramesh Rai S/O Ram Sevak Rai R/O Vill. and P.S.- Rajepur, Dist.- East Champaran
 2. Shivji Rai @ Shivjee Rai S/O Ram Sevak Rai R/O Vill. and P.S.- Rajepur, Dist.- East Champaran
 3. Punam Devi @ Punita Devi W/O Ram Sewak Rai R/O Vill. and P.S.- Rajepur, Dist.- East Champaran
 4. Ram Sewak Rai S/O late Bilash Rai @ Ram Bilash Rai R/O Vill. and P.S.- Rajepur, Dist.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phuldeo Rai S/O late Jamadar Rai R/O Vill. and P.S.- Rajepur, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mrs. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 323, 307, 504, 34 of the Indian Penal Code.

3. As per complaint case, on the alleged date & time of occurrence, complainant and his brother were irrigating their land, in the meantime, all the accused persons including petitioners, armed with weapons, came and blocked the road and started abusing them and on protest, co-accused Ram



Naresh Rai assaulted complainant's brother on his head and nose with iron rod, due to which he sustained injuries. It is further alleged that petitioner no. 4 (Ramsawak Rai) assaulted complainant and when complainant's wife came to save him, Ramesh Rai (petitioner no. 1) assaulted her and snatched *Mangalsutra* worth Rs 10,000/- from her neck. Co-accused Rampravesh Rai and Shivji Rai (petitioner no. 2) assaulted complainant's sister-in-law with kick & fist and tore her clothes. They also snatched her gold chain worth Rs. 9000/- and Punam Devi (petitioner no. 3) threw dust on the complainant and his family members.

4. Learned counsel for the petitioners submits that on a petty dispute, simple *Maarpit* took place between the parties, in which both sides sustained injury. Role attributed to these petitioners are not specific. Specific accusation of assault with iron rod is against co-accused Ram Naresh Rai. He further submits that complaint has been filed after a delay of 57 days without there being any plausible explanation of delay. Petitioner no. 2 to 4 have clean antecedent, whereas petitioner no. 1 has one criminal antecedent, in which, he is on bail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



6. Considering the delay in lodging the complaint and the fact that there is general & omnibus allegation, the prayer for anticipatory bail of petitioners is allowed. Let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Complaint Case No. 989 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

