

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71807 of 2025

Arising Out of PS. Case No.-683 Year-2023 Thana- MANER District- Patna

1. Mukesh Rai @ Mukesh Kumar S/O Anand Rai R/o Village- Nilkant Tola Goriya Satan, P.S.- Maner, Dist.- Patna
2. Rakesh Rai @ Rakesh Kumar S/O Anand Rai R/o Village- Nilkant Tola Goriya Satan, P.S.- Maner, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-10-2025 1. 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 offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons including the petitioners came on 14-8-2023 and dragged her husband outside the house and on orders of Mukesh Kumar, accused Vikash, Rajesh and Ranjit caught his hands and legs while Rakesh assaulted by sword causing injury on head, thereafter Mukesh assaulted him by an



iron rod causing injury on head, further accused persons also assaulted her father-in-law and brother-in-law and female accused assaulted the informant despite she being pregnant and took Rs. 1,50,000/- and thereafter a compromise was entered and it was decided not to institute a case against each other but petitioners' side instituted a case after giving Rs. 50,000 for treatment to the side of the informant and when the informant confronted the accused as to why an FIR has been instituted, the accused abused and threatened to kidnap and molested her, further her family members were taken in custody.

4. The Learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant alleges that who assaulted whom and by what and where, but then no case came to be instituted. It is further submitted that it does not appear probable that an occurrence of the magnitude as alleged in the FIR if would have been committed in that event a compromise would have been entered. It is submitted that the date of occurrence is 14-8-2023 and the FIR came to be instituted on 19-9-2023, i.e., after a delay of more than one month, which casts an aspersion on the



case of the prosecution. It is also submitted that had the injured been assaulted in the manner as alleged and would have been treated in a hospital, in that event the hospital would have informed the police that victims of assault have been admitted for treatment.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maner P.S. Case No. 683 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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