

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75493 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- PUSA District- Samastipur

1. Mahesh Rai @ Mahesh Kumar S/O Sudama Rai R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.
2. Himanshu Kumar S/O Ganesh Rai @ Ganesh Kumar Rai R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.
3. Sudama Rai S/O Late Lakhan Rai R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.
4. Ganesh Rai @ Ganesh Kumar Rai S/O Sudama Rai R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.
5. Kiran Devi W/O Ganesh Rai @ Ganesh Kumar Rai R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.
6. Rekha Devi W/O Mahesh Rai @ Mahesh Kumar R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.
7. Mukesh Kumar Rai @ Mukesh Kumar Son-in Law of Sudama Rai R/O Village- Harpur, P.S- Pusa, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey
For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-12-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner nos. 1 and 4, namely, Mahesh Rai @ Mahesh Kumar and Ganesh Rai @ Ganesh Kumar Rai, respectively, with liberty to surrender and seek regular bail.



3. Permission is granted.
4. The application, in respect of the petitioner nos. 1 and 4 is, accordingly, dismissed as withdrawn with aforesaid liberty.
5. Insofar as petitioner nos. 2, 3, 5, 6 and 7 are concerned, this application, for grant of anticipatory bail, arises out of Pusa Police Station Case No. 83 of 2025, dated 17.06.2025, disclosing offences under Sections 126(2)/115(2)/118(1)/303(2)/109(1)/74/352/79/3(5) of the Bhartiya Nyaya Sanhita.
6. The prosecution case, as per the First Information Report, is that on 12.06.2025, all the accused persons, including the petitioners, armed with lathi, iron-rod, stick, etc. entered into the house of the informant and started abusing and assaulting the informant and her husband. The petitioner no. 1 inflicted lathi blow on the head of the informant's husband, petitioner no. 4 assaulted the informant on her leg.
7. Learned counsel for the petitioners submits that the allegation against other petitioners are general and omnibus in nature and no specific overt act has been alleged against them. He next submits that the reason



behind the occurrence is that the informant's son had taken away the daughter of the petitioner no. 4 due to which there was tension between both the parties. He further submits that a counter-case, bearing Pusa Police Station Case No. 86 of 2025, has been lodged by the side of the petitioners against the informant and others.

8. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that case and counter case is there between the parties, I am inclined to grant the petitioner nos. 2, 3, 5, 6 and 7 privilege of anticipatory bail.

9. This application is, accordingly, allowed.

10. Let the petitioner nos. 2, 3, 5, 6 and 7, namely, Himanshu Kumar, Sudama Rai, Kiran Devi, Rekha Devi and Mukesh Kumar Rai, respectively, in the event of their arrest or surrender before the Court below within four weeks, be released 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 learned Chief Judicial Magistrate, Samastipur, in connection with Pusa Police Station Case No. 83 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya



Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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