

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73858 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- Bhelahi District- East Champaran

1. Rajeshwar Ray Nat @ Rajeshwar Ray Son of Shreeray Nat Resident of Village - Anand Sagar, Gamhariya, P.S.- Bhelahi, District - East Champaran
2. Upendra Ray Nat Son of Shreeray Nat Resident of Village - Anand Sagar, Gamhariya, P.S.- Bhelahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered on 04.05.2025 in connection with Bhelahi PS Case No. 48 of 2025 for the offences punishable under Sections 190 191(2), 191(3), 126(2), 115(2), 117(2), 109, 76, 132, 121(1), 121(2), 221, 324(3), 324(6), 111(2) of the B.N.S., 2023.

3. According to the informant/SHO, a police team from Areraj P.S. travelled to Palanwa P.S. and then to Bhelahi P.S. in order to seek their assistance to arrest accused Radheshyam Rai. With the help of Bhelahi P.S., the informant/police reached the house of Radheyshyam, arrested



him, and while they were returning, around 50–55 men and women gathered, pulled the arrested accused away, and attacked the police with *lathis*, *dandas*, iron rods, bricks, and stones, injuring several police personnel including one constable Amit Kumar. The mob also damaged the police vehicle, tried to snatch weapons, abused female constables, and ultimately freed the arrested accused. The informant further alleges that the local *chaukidar* identified numerous persons involved in the attack, many of whom allegedly belong to a chain-snatching gang active across different States, temples, fairs, and crowded areas. Several named accused persons are claimed to have criminal antecedents and multiple cases are said to be registered against them as mentioned in the FIR.

4. Learned counsel for the petitioners submits that there is no specific allegation against these petitioners, however, the name of these petitioners has transpired on the basis of statement made by the local *chaukidar* due to inimical terms with the petitioners and no incriminating article is said to have been recovered from the possession of the petitioners and there is no material to find their complicity in the said commission of offence. It has next been submitted that altogether 50-55 persons are named in this case while 5 other co-accused persons have



recently been extended the privilege of anticipatory bail *vide* order dated 09.10.2025 and 13.10.2025 passed in Cr. Misc. No.71581 of 2025 and Cr. Misc. No.71714 of 2025 respectively.

5. Learned APP for the State opposes the prayer for anticipatory bail submitting that though there is general and omnibus allegations but so many officials have received injuries.

6. Considering the submissions of the parties and the fact that there is no specific allegation against the petitioners and similarly situated co-accused persons have been granted the privilege of anticipatory bail *vide* order dated 09.10.2025 and 13.10.2025 passed in Cr. Misc. No.71581 of 2025 and Cr. Misc. No.71714 of 2025 respectively, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned Sub-Divisional Judicial Magistrate, Motihari, in connection with Bhelahi P.S. Case No. 48 of 2025, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and also subject to the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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