

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73632 of 2025

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

1. Shyam Sundar @ Shyam Sundar Rai Nat Son of Bhuali Rai Nat @ Bhuali Rai R/o Village - Anand Sagar, Gamhariya(Pipariya),P.S. -Bhelahi, District-East Champaran.
2. Chandan Rai Nat @ Chandan Kumar Son of Pratap Rai Nat R/o Village - Anand Sagar, Gamhariya(Pipariya), P.S. -Bhelahi, District-East Champaran.
3. Pratap Rai Nat Son of Bhuali Rai Nat @ Bhuali Rai R/o Village - Anand Sagar, Gamhariya(Pipariya), P.S. - Bhelahi, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Vinod Shanker Modi

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 for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 117(2), 109, 76, 12, 121(1), 121(2), 221, 324(3), 324(6), 111(2) of the B.N.S., 2023.

3. According to prosecution case, a police team from Areraj P.S. travelled to Palanwa P.S. and then to Bhelahi P.S. seeking assistance to arrest accused Radheshyam Rai. With the help of Bhelahi P.S., the police reached his house, arrested him, and began to return. At that time, 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 personnel including 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 states 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 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 the 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 articles is said to have been recovered from the possession of the petitioners or there is any 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 application.

6. Considering the aforesaid facts and circumstances 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champarana at 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 with other 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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