

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71833 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Rakesh Kumar @ Rakesh Ray S/O Pream Rai Resident of Village- Rampur Shyamchand, P.S.- Raghapur, Dist- Vaishali at Hajipur
2. Arvind Rai S/O Pream Rai Resident of Village- Rampur Shyamchand, P.S.- Raghapur, Dist- Vaishali at Hajipur
3. Arun Rai S/O Pream Rai Resident of Village- Rampur Shyamchand, P.S.- Raghapur, Dist- Vaishali at Hajipur
4. Mithilesh Kumar Rai @ Mithlesh Rai S/O Pream Rai Resident of Village- Rampur Shyamchand, P.S.- Raghapur, Dist- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.s

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 15-10-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant, Mr. Anil Kumar Sinha.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 324(5), 326(g) and 3(5) of the BNS, 2023.
3. Learned counsel for the petitioners submits that petitioner nos. 1, 2 and 4 have antecedent of two cases and petitioner no. 3 is a person with clean antecedent. It is next submitted that the informant alleges that about three days back,



there was a fight and named accused persons including the petitioners along with 5-6 unknown accused had threatened that they will set her house on fire, thus, alleges that accused persons on 04.02.2025 at 01:45 AM set her house on fire in which articles, as recorded in the FIR, got destroyed.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that the informant alleges that three days back, there was a fight and she was threatened by the accused persons including the petitioners that the house would be set on fire, but then no FIR came to be instituted. It is next submitted that from the FIR, it cannot be culled out as to whether informant is an eye witness to the occurrence or not. It is further submitted that the entire allegation hinges around suspicion and the petitioners have been implicated only to coerce the male members into submission. It is further submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also submitted that during course of investigation, it came that Prem had threatened the informant and her family members who was also arrested and charge sheet against him has been submitted.

5. Learned A.P.P. for the State and the learned



counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that informant did not institute any case when it is alleged in the FIR that three days prior to the occurrence, a fight had taken place and she was threatened and that during the course of investigation, it has come that it was Prem who had threatened and was also arrested.

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 Raghapur P.S. Case No. 40 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite



giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

Rishabh/-

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

