

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 73945 of 2025

Arising Out of PS. Case No.-535 Year-2025 Thana- GARKHA District- Saran

1. Laldeo Rai son of Late Janak Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra
2. Sunil Rai Son of Late Ramayan Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra
3. Shailesh Rai Son of Late Ramayan Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra
4. Vidyan Rai @ Bidhan Rai son of Late Punit Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra
5. Dharmendra Yadav @ Dharmendra Rai Son of Late Punit Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra
6. Dipak Rai @ Dipak Kumar Son of Late Janak Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra
7. Dilkhush Rai @ Dilkhush Kumar son of Laldeo Rai Resident of Village- Pohiya, Ps- Garkha, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR JUSTICE AJIT KUMAR

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioners and the learned APP for the State.

2 The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 191 (2), 190, 126 (2), 115 (2), 118 (1), 109, 303 (2), 352 of the BNS, 2023.

3 The prosecution case is that on 14.07.2025 at



around 9 am, all accused persons were forcefully ploughing his agricultural field with tractor. On objection, accused Shyamdeo Rai assaulted the informant with farsa causing injury on his head and when other family members, namely, Sanjay Rai, Kush Kumar and Amit Kumar came to his rescue, they were also assaulted. It is further alleged that petitioner No 2 Sunil Rai snatched his locket.

4 Learned counsel for the petitioners, by referring to the impugned order, submits that the learned Additional Sessions Judge VI, Saran at Chapra, has clearly recorded different paragraphs of the case diary which supported the prosecution case as against Shyamdev Rai of having assaulted the informant with *Farsa* and further the accused also assaulted the injured Sanjay Rai, Kush Kumar and Vakil Rai. Vakil Rai received lacerated wound on right temporal region and Kush Kumar received abrasion on the left leg. It has next been submitted that the allegation against the petitioners is general and omnibus and they have no criminal antecedent to their credit. Learned counsel for the petitioners next submitted that the petitioners would be abiding by the terms and conditions of anticipatory bail in case such privilege is extended to them.

5 Considering the fact that there is no specific



allegation of assault against the petitioners which is supported in the case diary and specific allegation of assault is against co-accused Shyamdeo Rai, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

6 Let the petitioners abovenamed, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of this order, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, First Class, Saran at Chapra in Garkha PS Case No 535 of 2025 subject to all conditions as laid down in Section 482 of the BNSS, 2023 and also the following conditions:

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

(ii) The petitioners 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 their bail bonds by the trial Court itself;

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



(iv) The petitioners 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.

7 This application is allowed.

(Ajit Kumar, J)

M.E.H./-

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

