

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74611 of 2025**

Arising Out of PS. Case No.-907 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. KAUSHAL KUMAR S/O RAJ KISHORE RAI R/o vill - Birra, P.s. - Kajipur, Distt.- Vaishali
2. Rakesh Kumar S/o Ramesh Rai R/o vill - Birra, P.s. - Kajipur, Distt.- Vaishali
3. Shailesh Kumar S/o Raj Kishore Rai R/o vill - Birra, P.s. - Kajipur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amarendra Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      20-11-2025                                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Hajipur Sadar (Kajipur) P.S. Case No. 907/2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 223, 126(2), 115(2), 118(1), 117(2), 132, 109, 351(2), 251(3), 352, 122(2), of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, the informant got secret information that Amit Kumar won the election of PACS Chairman and it is alleged that his family members and about 70-75 supporters, armed with deadly weapons, led the



procession and were passing through the Dalan of defeated candidate namely Ram Paras Rai, where Ram Paras Rai and his supporters variously armed with *lathi*, *danda* and *sword* were waiting for arrival of procession. On the said information, the informant along with police officials reached there and saw that altercation has taken place between two groups. The police tried to pacify the said altercation but they were not ready to pacify the same. Then the people and the female inmates of the house of Chandeshwar Rai tried to attack the police party on account of which the police officials sustained injuries. It is further alleged that Chandeshwar Rai resorted to 3-4 rounds firing from the pistol but the same did not hit anybody. One empty cartridge was recovered from the said place. It is further alleged that about 10 persons from both sides sustained injuries who were taken into police custody and the villagers disclosed the names of the petitioners and others.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case due to village politics. Petitioner nos. 1 & 3 bear no criminal antecedent and petitioner no.2 bears one criminal antecedent in which he is already on bail. There is no specific



allegation against the petitioners. He further submits that the petitioners were not present at the place of occurrence.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners are FIR named accused persons and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, there is no specific allegation against the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali in connection with Hajipur Sadar (Kajipur) P.S. Case No. 907/2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

**(Alok Kumar Pandey, J)**

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