

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78216 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Fakuli District- Muzaffarpur

Indradeo Rai @ Indrev Rai Son of Bhadaï Rai Resident of Village -
Bhagwanpur, P.S. - Fakuli, Dist. - Muzaffarpur also residing at Village -
Bahadurpur, P.S. - Goraul, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 03-12-2025 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Fakuli P.S. Case No.35 of 2025, F.I.R dated 25.06.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 105 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to the F.I.R., based on the written complaint of Lakhindra Rai, on 16.06.2025 at around 11:00 a.m., his young sons—Ghantulal (7) and Pawan Kumar (5)—returned home crying and informed him that the accused persons, including two women, had assaulted them and snatched a golden “Hanumani” chain. When the informant’s parents, Lakshman Rai and Pano Devi, went to question the accused, they were brutally assaulted with lathis and sustained injuries. After the informant returned home, the injured were taken to the



hospital. Lakshman Rai later died on 25.06.2025 during treatment.

4. Learned counsel for the petitioner submits that the son of the petitioner is already in custody and the allegations levelled against the petitioner is general and omnibus in nature and the petitioner is aged about 64 years and has falsely been implicated in the present case. The petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the son of the petitioner, during the course of investigation, on his complicity having being found, has subsequently been arrested and is still in custody while there is nothing specific alleged against the petitioner rather the allegation is general and omnibus in nature. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 J.M. 1st Class, (West) Muzaffarpur, in connection with Fakuli P.S. Case No.35 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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