

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84935 of 2024**

Arising Out of PS. Case No.-544 Year-2024 Thana- MASHRAK District- Saran

1. Pramod Kumar Rai @ Pramod Rai S/o Chandrika Rai R/o Village- Mashrakh, Gopalwari, P.S.- Mashrakh, District- Saran
2. Manoj Kumar Rai @ Manoj Rai S/o Chankrika Rai R/o Village- Mashrakh, Gopalwari, P.S.- Mashrakh, District- Saran
3. Chandrika Rai S/o Chathu Rai R/o Village- Mashrakh, Gopalwari, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

WITH  
**CRIMINAL MISCELLANEOUS No. 86033 of 2024**

Arising Out of PS. Case No.-544 Year-2024 Thana- MASHRAK District- Saran

Sanoj Kumar Rai @ Sanoj Rai S/O Chandrika Rai R/O Vill.- Mashrakh, Gopalwari, P.S.- Mashrakh, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 84935 of 2024)  
For the Petitioner/s : Ms. Alka Panday, Advocate  
For the Opposite Party/s : Mr. Shantanu Kumar, APP  
For the Informant : Mr. Kumar Harsh, Advocate  
Mr. B.K. Singh Chauhan, Advocate  
(In CRIMINAL MISCELLANEOUS No. 86033 of 2024)  
For the Petitioner/s : Mr. Alka Panday  
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia  
For the Informant : Mr. Kumar Harsh, Advocate  
Mr. B.K. Singh Chauhan, Advocate

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      13-05-2025      Heard Learned Counsel for the petitioners, Learned



Counsel for the Informant and Learned APP for the State.

2. The present criminal miscellaneous applications have been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners, who apprehend arrest in connection with Mashrak P.S. Case No. 544 of 2024, lodged on 12.09.2024, under Sections 126(2)/115(2)/352/109(1)/118(1)/74/3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons (all the petitioners in both the cases). The allegation against the petitioners is that they have attacked on the informant and her sons. Petitioner Sanoj attacked by virtue of sharp cutting weapon on the head of the informant due to which bleeding started. Subsequently, allegation has been made against Manoj Rai and Sanoj Rai and Pramod Rai to attack on the sons of the informant due to which they sustained injuries.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that both petitioners and informant are agnates and on petty issue both sides have started scuffling with each other



which resulted into injury. Learned Counsel for the petitioners submits that the present case which has been filed by the informant is Mashrak P.S. Case No.544 of 2024; whereas the case which has been filed by the petitioners is Mashrak P.S. Case No.545 of 2024. He submits that for the same date and place of occurrence, case and counter case have been filed. He submits that the case which has been filed by the petitioners' side, injury has been caused and in the present case also injury has been caused. Counsel submits that both sides have sustained injuries. Counsel further submits that antecedent of the petitioners are clean. Petitioner No.3 Chandrika Rai is aged about 61 years and other petitioners are also a matured person. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned Counsel for the Informant vehemently opposes the prayer for anticipatory bail of the petitioners and submits that the petitioners are not innocent, there is specific allegation of assault against Manoj, Sanoj and Pramod of attacking and subsequent allegation is against all the four accused persons, due to which injury has been caused to the informant and his sons. Counsel submits that in the criminal case, which has been filed by the petitioners, one Mithlesh



Kumar Ray sustained injury and during his treatment he was arrested and subsequently he was granted bail by a coordinate Bench of this Court vide order dated 20.03.2025 passed in Cr. Misc. No.87257 of 2024.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that injury has been caused from both the sides, there are case and counter case from both the sides.

7. Considering the direct allegation of assault against petitioners, namely, Pramod Kumar Rai @ Pramod Rai, Manoj Kumar Rai @ Manoj Rai and Sanoj Kumar Rai @ Sanoj Rai, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the anticipatory bail application of the petitioners are rejected.

8. As far as petitioner Chandrika Rai is concerned, there are general and omnibus allegation against him. In the present facts and circumstances of this case, let petitioner Chandrika Rai be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of ACJM-VII,



Saran at Chapra, in connection with Mashrak P.S. Case No.544  
of 2024, subject to the conditions as laid down U/s 482(2) of the  
BNSS, 2023.

**(Dr. Anshuman, J)**

Mkr./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

