

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 79619 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- TARIYANI CHOWK District- Sheohar

1. Jaynarayan Rai Son of Rajdeo Rai Resident of Village- Mahdeva, PS -Tariyani District- Sheohar
2. shatrughan Rai Son of Rajkishore Rai Resident of Village- Mahdeva, PS -Tariyani District- Sheohar
3. Baikunth Rai Son of Laldeo Rai Resident of Village- Mahdeva, PS -Tariyani District- Sheohar
4. Madhurendra Kumar Son of Shatrughan Rai Resident of Village- Mahdeva, PS -Tariyani District- Sheohar
5. Paltan Rai Son of Bidhanand Rai Resident of Village- Mahdeva, PS -Tariyani District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Tariyani P.S. Case No. 26 of 2025, dated 06.02.2025, lodged under Sections 191(2), 191(3), 190, 329(4), 126(2), 115(2), 74, 305, 109, 324(4), 352 & 351(2) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged



against 13 named accused persons, including the present petitioner, alleging that all the accused, as well as 5-7 unknown persons, attacked the house of the informant's family, started abusing them while taking the names of their castes, and caused injury to the informant's son. The FIR also contains an allegation of snatching jewellery.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that, from the contents of the FIR, the specific allegation of assault with an iron rod is against Mitran Ray, Bhikari Ray, and Jaynarayan Ray (Petitioner No. 1). Counsel further submits that there is an allegation of open firing in the course of fleeing against Dhiraj Kumar and Raghvendar Kumar, but as regards the present petitioners, five in number, the only allegation against Petitioner No. 1 is that of scuffling. He further submits that Petitioner No. 1 is an elderly person, aged about 60 years. He further submits that both the petitioners and the informant are residents of the same village and are well known to each other, and the scuffling took place due to petty village politics, involving both sides. It is also submitted that, for the same date and place of occurrence, cases and counter-cases have been lodged between the parties, the petitioners' side has filed



Tariyani P.S. Case No. 27 of 2025, while the informant's side has lodged Tariyani P.S. Case No. 26 of 2025.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that the occurrence took place due to village politics and the FIR contains no serious allegation against any of the petitioners in the present case.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Sheohar, in connection with Tariyani P.S. Case No. 26 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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