

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80812 of 2025

Arising Out of PS. Case No.-456 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Rajesh Kumar @ Rajesh Ray S/o Bagendra Ray @ Brajendra Ray Ro village- Faijullahpur, Rajapatti, PS- Baikunthpur, Dist- Gopalganj, Bihar
2. Rupesh Kumar @ Rupesh Kumar Yadav S/o Late Bhoolan Ray Ro village- Faijullahpur, Rajapatti, PS- Baikunthpur, Dist- Gopalganj, Bihar
3. Motilal Ray S/o Kopil Ray Ro village- Faijullahpur, Rajapatti, PS- Baikunthpur, Dist- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Shekhar Pandey, Adv. Mr. Masoom Raza, Adv. Mr. Aman Kumar, Adv. Mr. S. N. Singh, Adv.
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-12-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Baikunthpur P.S. Case No. 456 of 2023, registered for the offences punishable under Sections 341, 323, 333, 307, 353, 427, 504/34 of the Indian Penal Code.

3. The allegation against the petitioners is of causing obstruction in discharge of official work of the police personnel. On the fateful day, while the police was conducting raid, they found a person suspecting him under the influence of liquor and when the police asked to bring breath analyzer machine, in the



meanwhile, the petitioners along with other named accused persons as well as 50-60 unknown persons, assembled there and created ruckus and started brick batting and snatching of firearm of the police personnel and in the said incidence, some of the police personnel also sustained injuries.

4. Learned Advocate for the petitioners submitted that besides the omnibus nature of allegation, it is the admitted fact that the police personnel have sustained simple injuries and in fact on account of protest made by the villagers against the atrocities of the police, a scuffle took place resulting into some of the persons have sustained unfortunate injury; however the same is not attributed to the petitioners. Taking the aforesaid fact, one of the accused person, facing identical allegation has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 66537 of 2025. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime and causing obstruction in discharge of official duty.

6. Having considered the submissions advanced by



the learned Advocates for the respective parties and taking note of the omnibus nature of allegation, coupled with the fact that the case of the petitioners stands on identical footing with that who has been granted anticipatory bail, besides the fair antecedent of the petitioners and the simple nature of injury sustained to the police personnel, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XII, Gopalganj in connection with Baikunthpur P.S. Case No. 456 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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