

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4284 of 2026**

Arising Out of PS. Case No.-265 Year-2014 Thana- CHIRAIYA District- East Champaran

1. Madan Rai @ Madan Ray Son of Late Rajeshwar Ray Resident of Village- Mohaddipur, P.S.- Chiraiya, District- East Champaran
2. Sudhir Rai @ Sudhir Kumar Son of Prem Rai @ Premchandra Prasad Resident of Village- Mohaddipur, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate  
For the Opposite Party/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-02-2026                      Heard Mr. Suraj Kumar Tiwari, learned counsel for the petitioners and Mr. Sadanand Paswan, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chiraiya P.S. Case No. 265 of 2014, F.I.R. dated 14.10.2014 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 504 of the IPC and Section 3(i)(x) of the SC/ST Act, but cognizance has taken only for the offences under Sections 341, 323, 324, 325, 308/34 of the IPC.

3. According to prosecution case, on 13.10.2014, all the accused persons including the petitioners armed with weapons came at the door of the informant and abused taking case name and assaulted her husband for casting vote of their



choice.

4. Learned counsel for the petitioners submits that petitioner have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that from perusal of the FIR, it appears that specific allegation of assault is against co-accused Sunil Yadav, the allegation of assault against the petitioners with lathi, danda is general and omnibus in nature.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that petitioners have clean antecedent and there is no specific allegation of assault against the petitioners, let the petitioners, above named, in the event of their 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., 1<sup>st</sup> Class, Sikrahana at Dhaka, East Champaran, in connection with



Chiraiya P.S. Case No. 265 of 2014, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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