

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6406 of 2026

Arising Out of PS. Case No.-267 Year-2025 Thana- RAJAPAKAR District- Vaishali

1. Raj Kumar Rai, S/O Sagar Rai R/O Gangajal Bakarpur, P.S- Rajapakar, District- Vaishali.
2. Manish Kumar @ Manish Rai, S/O Late Surendra Rai R/O Gangajal Bakarpur, P.S- Rajapakar, District- Vaishali.
3. Chandan Kumar @ Chandan Kumar Rai, S/O Ravindra Rai R/O Gangajal Bakarpur, P.S- Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Rajapakar P.S. Case No.267 of 2025 registered for the offences under Sections 126(2), 115(2), 76, 109, 118(2), 352, 351(2), 3(5) of the I.P.C.

3. The allegation against the petitioners is that they together with the other accused persons, assaulted the informant and others, causing grievous injuries.

4. Learned counsel for the petitioners submits that for the same incident there was case and counter case. It has been



alleged that both the sides had received injuries on account of some altercation which had taken place between the parties. Learned counsel for the petitioners refers to the injury report brought on the record by way of Annexures P3, P4 and P5 which would go on to show that the injuries sustained by the injured persons were threefold. It has further been submitted that the injury sustained by one Nageshwar Pandit was found to be grievous. However, the injury was on the left thumb of the said person, while the injury sustained by Anjali Kumari, which is stated to be grievous, is on the right wrist and both the injuries were found to be on the non-vital part of the body. It has next been submitted that the injury sustained by Kamlesh Kumar on the head was found to be simple in nature. It has also been submitted that the prosecution has exaggerated the story and lodged a false and concocted case. It has lastly been submitted that the petitioner no.1 has clean antecedent while petitioner nos. 2 and 3 have one criminal antecedent each.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the



event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Rajapakar P.S. Case No.267 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their 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.



7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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