

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5519 of 2026

Arising Out of PS. Case No.-107 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Vijay Rai S/o Laldev Rai R/O village- Hemantpur, P.S.- Rustampur, Dist.- Vaishali
2. Umesh Kumar S/o Laldev Rai R/O village- Hemantpur, P.S.- Rustampur, Dist.- Vaishali
3. Tipu Rai S/O Late Ramchandra Rai R/O village- Hemantpur, P.S.- Rustampur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 126, 115(2), 118, 109, 132, 352 and 351(3) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 3 is aged about 80 years and the informant alleges that a raiding team was constituted for arresting Vijay and Laldev on allegation of dealing in liquor business, accordingly the team reached the place of occurrence and arrested Laldev, when



named accused persons including the petitioners with an intent of freeing Laldev attacked the police force causing injury, further Bijli Rai assaulted S.I Deepak with lathi causing injury on right hand and Sanjit assaulted by brick causing injury on Deepak's forehead, further Laldev and Dinesh assaulted constable Bhagwanlal by lathi on right hand and Umesh assaulted by brick causing injury on shoulder, further Vijay (petitioner No. 1) assaulted Sangam by rod causing injury on head and he became unconscious, but the force managed to bring arrested accused Laldev and Dinesh to PS.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioner nos. 2 and 3. It is further submitted that petitioner no. 3 is a senior citizen aged about 80 years and has remained a person with clean antecedent all throughout, and when he is nearing his grave he came to be implicated with general and omnibus allegations.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is



specific allegation against Vijay (petitioner no. 1) of assaulting Sangam, who is a police officer, by rod causing injury on head, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that no specific allegation of assault is alleged against the petitioner nos. 2 and 3.

6. After hearing the learned counsel for the parties, the petitioner nos. 2 and 3 above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Raghapur P.S. Case No. 107 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner No. 1. Accordingly, the prayer for anticipatory bail of the petitioner No. 1 is rejected.

(Satyavrat Verma, J)

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