

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3390 of 2026

Arising Out of PS. Case No.-1256 Year-2025 Thana- NAGAR District- Vaishali

Kamal Rai @ Chhathu Rai S/o- Late Gulel Rai Village- Pokhara Mohhalla
PS- Hajipur Nagar District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Hajipur Town P.S. Case No. 1256 of 2025, registered for the offences under Sections 126(2), 115(2), 118(1), 109, 76, 352, 351(2), 3(5) of the BNS.

3. As per the prosecution case, petitioner and other co-accused persons armed with sharp weapons, *lathi* and *danda* entered into the house of the informant and hurled filthy abuses. The co-accused persons put down the informant and molested her. When the family members of the informant intervened, the co-accused persons and this petitioner assaulted the brother of the informant on his head with *lathi*. The other family members of the informant were also assaulted who became unconscious.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case and no occurrence in this manner as alleged has ever taken place. The entire family members have been made accused in this case in order to grab the share of the petitioner. The petitioner and informant side are agnates and there is land dispute between them. Earlier the petitioner has given an informatory petition before the learned CJM, Vaishali mentioning the facts and apprehension of a false case being lodged against him. As a matter of fact, the present case is counter blast of Hajipur Town PS Case No. 1227 of 2025 which was lodged for an occurrence of 06.10.2025. The informant side has lodged the present case after delay of six days without any explanation to counter blast the case of the petitioner. Four civil suits are also pending between two sides. Learned counsel further submits that there is no specific allegation against the petitioner and other co-accused persons have been granted anticipatory bail by a Co-ordinate Bench vide order dated 12.01.2026 passed in Cr. Misc No. 87628 of 2025 and order dated 20.01.2026 passed in Cr. Misc. No. 91758 of 2025. The petitioner is having antecedent of four cases and he is on bail in all these cases. The petitioner is in custody since 12.12.2025.



5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioner and further considering the case and counter case between the parties, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur/concerned court, in connection with Hajipur Town P.S. Case No. 1256 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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