

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6302 of 2026

Arising Out of PS. Case No.-19 Year-2023 Thana- NIMACHANDPURA District- Begusarai

Mithun Rai Son of Kapildev Rai Resident of village- Ramanand Nagar, Ps-
Neemachandpura, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Adv. Mr.Pritish Kumar Lal, Adv.
For the Opposite Party/s :		Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Nemachandpura P.S. Case No. 19 of 2023 (G.R. No. 422/2023) dated 05.02.2023 registered for the offences punishable under Sections 147, 149, 323, 504, 302 and 506 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with seven other named accused persons assaulted the informant and his brother. It is further alleged that when the informant's father intervened, they all started beating his father, in the meantime, it is alleged that the co-accused, Hareram Mahto and Kapildev Rai pressed the testicles of the informant's father and



subsequently, he died.

4. The learned Senior counsel for the petitioner submits that petitioner has falsely been implicated in this case and no such occurrence as alleged has occurred. It has further been submitted that the specific case of the prosecution is that on pressing of the testicles of the informant's father, he died, however, from perusal of the Post-mortem report, it would appear that multiple injuries were found on the chest and right leg anterior surface and the cause of death is stated to be asphyxia caused by compression of chest and fracture of sternum. Learned Senior counsel has further submitted that there is no specific allegation of overt act against the petitioner. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand)



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 Nemachandpura P.S. Case No. 19 of 2023 (G.R. No. 422/2023), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

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

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two 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.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.



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

8. The application stands allowed.

(Sourendra Pandey, J)

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