

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5670 of 2026

Arising Out of PS. Case No.-172 Year-2025 Thana- BASOPATTI District- Madhubani

Surendra Raut S/o Chiranjeev Raut@ Chiranjeevi Raut R/o vill -
Mahinathpur, P.S.- Basopatti, Distt.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate Mr. Sumit Kumar Singh, Advocate Mr. Archana Aanand, Advocate
For the Opposite Party/s :		Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2026 Heard learned counsel appearing on
behalf of the petitioner and learned A.P.P. for the
State.

2. The accused/petitioner seeks bail in connection with Basopatti P.S. Case No. 172 of 2025 registered for the offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 119(1), 109, 303(2), 132, 121(1), 121(2), 352 and 351(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 27 of the Arms Act.

3. The accused/petitioner is named in the First Information Report and is in custody since 08.09.2025.



4. As per FIR, on 23.07.2025, one co-accused namely, Bharat Paswan was stopped by Constable Raju Kumar Ram while crossing Indo-Nepal Border, 50-60 people gathered over there and started abusing and assaulting the police Constable. This petitioner alleged to made an attempt to snatch INSAS Rifle from injured Raju Kumar Ram, who during occurrence anyhow protected his life and arms after two rounds firing in air to disburse the crowd.

5. It is submitted by learned counsel appearing on behalf of the petitioner that just to aggravate the allegation as this petitioner was leading the mob, he was implicated with allegation as to commit an attempt to snatch the government arms from possession of injured Constable Raju Kumar Ram. It is submitted that said injured Constable fired two rounds in air to disburse the crowd gathered over there and if this petitioner was so closed to the constable then he must have received gunshot injury or any injury during the occurrence, but this is not a case of the



prosecution.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of aforesaid factual submission and by taking note of overall accusation as discussed aforesaid, coupled with the fact that investigation of this case is already concluded, where petitioner, who is a man of clean antecedent, remains in custody since 08.09.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class Madhubani/concerned court, in connection with Basopatti P.S. Case No. 172 of 2025, subject to the



condition as laid down under Section 437(3)
Cr.P.C/Section 480(3) of the Bhartiya Nagarik
Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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