

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6281 of 2026

Arising Out of PS. Case No.-267 Year-2025 Thana- MADHAURAH District- Saran

1. Raj Nath Ray S/o- Chandrika Ray Village - Madhopur, Ward no -8, P.S - Madhurarah, District- Saran
2. Vikki Kumar S/o- Raj Nath Ray Village - Madhopur, Ward no -8, P.S - Madhurarah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, 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. The petitioners apprehend their arrest in connection with Madhaura P.S. Case No. 267 of 2025 dated 24.04.2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109, 352, 351(2) and 3(5) of the B.N.S.

3. The allegations against the petitioners are that they have hurled abuses upon the informant and thereafter, the petitioner no. 2 had struck the informant on the head with an iron rod. It is further alleged that when the informant's husband came



to rescue her, the petitioner no. 1 attacked him on the head with a dab sharp weapon.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and no such occurrence as alleged has taken place. It has further been submitted that the injuries do not corroborate the statement made by the informant and one injury was found both on the informant as well as her husband and the same were referred to as simple in nature caused by hard and blunt substance. However, there is a specific allegation against the petitioner no. 1 that he had used a sharp cutting weapon. Learned counsel has further submitted that there is previous enmity between the parties and hence the petitioners have falsely been implicated. It is lastly submitted that the petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has clean antecedent.

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

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioners above named, are 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-bonds of Rs. 10,000/-(Rupees 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 Madhaura 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 BNSS as well as subject to the following conditions:-

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

(ii) The petitioners will remain present on each and every date fixed, if so required by the learned Trial Court.

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

(iv) The trial court shall verify the criminal antecedents of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the trial court shall take step for cancellation of bail bonds 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. 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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