

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5485 of 2026

Arising Out of PS. Case No.-257 Year-2025 Thana- DERNI BAZAR District- Saran

1. Ramanuj Rai @ Ramanuj Kumar S/o- Late Raj Balabh Rai R/v- Pirari Ps- Derani Dist- Saran, Chapra
2. Chandan Kumar Rai @ Chandan Kumar S/o- Ramanuj Rai @ Ramanuj Kumar R/v- Pirari Ps- Derani Dist- Saran, Chapra
3. Ranjan Kumar Rai @ Ranjan Kumar S/o- Raj Kishor Rai @ Raj Kishor Prasad Rai R/v- Pirari Ps- Derani Dist- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-01-2026 Heard Mr. Braj Nandan Kumar Tiwary, learned counsel for the petitioners and Mr. Brajendra Nath Pandey, learned Additional Public Prosecutor for the State.

2. The petitioners seek bail, who are in custody since 10.12.2025, in connection with Derni P.S. Case No. 257 of 2025, F.I.R. dated 08.11.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 74, 303(2), 352, 351(2), 351(3), 3(5) of the BNS, 2023.

3. According to prosecution case, all the FIR named accused persons including these petitioners armed with deadly weapons came at the door of the informant and assaulted the



informant and his family members. Petitioner no. 3 gave *farsa* blow on the head of the informant by which he sustained injury on his hand and petitioner nos. 1 and 2 assaulted the informant by means of *lathi* and rod. When his family members came to rescue him, they were too assaulted by the accused persons due to which three persons sustained head injury.

4. Learned counsel for the petitioners submit that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submits that the present case is counter blast of Derni P.S. Case No. 256 of 2025 filed by the petitioners side against the informant and his family members. Learned counsel submits that although the petitioners are named in the FIR but from a bare perusal of F.I.R. it appears that there is no specific allegation of assault attributed against petitioner rather the specific allegation of assault is attributed against the co-accused Ranjan Kumar that he had given a *farsa* blow on the head of the informant and the informant has received the injury but the petitioners side also received injuries and there was no intention to kill anyone and the police after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 10.12.2025.

5. Learned APP for the State has vehemently opposed



the prayer for bail of the petitioners and submits that the petitioners no. 1 and 2 have clean antecedent whereas petitioner no. 3 carries one more case other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and also the fact that there is case and counter case and petitioner nos. 1 and 2 have clean antecedent and petitioner no. 3 carries one more case in which he is on bail and period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran, Chapra in connection with Derni P.S. Case No. 257 of 2025, with the following conditions:

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond 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.

(Rajesh Kumar Verma, J)

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