

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8166 of 2026

Arising Out of PS. Case No.-366 Year-2025 Thana- BACHHWARA District- Begusarai

1. Iranjay Rai @ Iranjay Kumar S/O Nandu Rai R/o Vill.- Chamtha Gope Tol, P.S.- Chamta, Dist.- Begusarai
2. Soli Rai S/O Prabhu Rai R/o Vill.- Chamtha Gope Tol, P.S.- Chamta, Dist.- Begusarai
3. Nandu Rai S/O Jagdeo Rai R/o Vill.- Chamtha Gope Tol, P.S.- Chamta, Dist.- Begusarai
4. Manjay Rai @ Manjay Kumar Ray S/O Soli Rai R/o Vill.- Chamtha Gope Tol, P.S.- Chamta, Dist.- Begusarai
5. Sanjay Rai @ Sanjay Kumar S/O Soli Rai R/o Vill.- Chamtha Gope Tol, P.S.- Chamta, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Ms. Amrita Kumari, Advocate Ms. Harshita, Advocate
For the State	:	Mr. Abhay Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State .

2. At the outset, learned counsel for the petitioner No.2 submits that petitioner No.2 has been arrested during the pendency of this application and hence he prays for withdrawing the present application quo petitioner No.2.

3. As prayed for, this anticipatory bail application stands dismissed as against petitioner No.2.



4. So far as petitioner Nos.1, 3, 4 and 5 are concerned, they all apprehend their arrest in a case registered for the offence punishable under Sections 115(2), 126(2), 109, 3(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Prosecution story is that on 05.10.2023 at about 11:00 A.M., six F.I.R. named accused persons including petitioners assaulted the informant with sharp cutting sword, farsa and lathi due to land dispute. When the informant tried to flee, then accused persons cut the nose of informant with sword and they also started throwing stones on the informant, anyhow he saved his life. Thereafter, the informant became senseless and he was admitted to Bachhwara Hospital for treatment by his family members. Hence the present case.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioners of assault and the petitioners have no criminal antecedent, as statement made in para 3 of the bail application.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. Considering the aforesaid facts and circumstances



of the case and the fact that there is general and omnibus allegation against the petitioners and also there is case and counter case which has been disclosed in paragraph 11 of the application wherein it has been stated as follows :-

“11. That there is a counterblast case, i.e., Bachhwara P.S. Case No.382 of 2025 u/s 115(2)/126(2)/ 74/352/ 351(2) /351(3)/303 (2) /3(5) of the B.N.S. filed by one Munni Devi, wife of petitioners No.3, namely, Nandu Rai alleging therein that the informant and others disrobed and tried to outrage her modesty. On hulla all the accused including informant fled away by snatching locket and earring.”

9. Considering as also the given fact that the petitioner Nos. 1, 3, 4 and 5 have no criminal antecedent as disclosed in the application, I am inclined to grant privilege of anticipatory bail to the petitioner Nos. 1, 3, 4 and 5.

10. Let the petitioner Nos.1, 3, 4 and 5, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Bachhwara P.S. Case No. 366 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and



subject to further condition that :-

(i) the petitioners shall co-operate in the investigation/
trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner Nos.1, 3, 4 and 5 and in case it is found that they have concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner Nos.1, 3, 4 and 5. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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