

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8289 of 2026

Arising Out of PS. Case No.-97 Year-2025 Thana- ANDHRATHARHI District- Madhubani

1. Kaushal Kumar Ray @ Rajeeb Kumar Ray @ Rajib Kumar S/o- Sri Yogendra Ray R/v- Chapahi Ps- Andharathari Dist- Madhubani
2. Amla Devi w/o- Sri Yogendra Ray R/v- Chapahi Ps- Andharathari Dist- Madhubani
3. Sanjeeb Kumar Ray S/o- Sri Yogendra Ray R/v- Chapahi Ps- Andharathari Dist- Madhubani
4. Yogendra Ray S/o- Late Sonai Ray R/v- Chapahi Ps- Andharathari Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Andharathari P.S. Case No. 97 of 2025 dated 26.06.2025 registered for the offences punishable under Sections 126(2), 324, 326(g) and 3(5) of the B.N.S.

3. The allegation against the petitioners is that they set the informant's dwelling house on fire and destroyed certain articles including cash of Rs. 50,000/-.



4. The learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case and no such occurrence as alleged has taken place. It is further submitted that the petitioners are immediate neighbours of the informant and due to some personal dispute, the petitioners have falsely been named by the informant. It has further been submitted that during the course of investigation, no article was found there by the police which is stated to have been burnt because of the fire, which was put by the petitioners. It has also been submitted that I.O. has found the contrary to what has been stated by the informant. It has further been submitted that the petitioners are the immediate family members and they have all been implicated with general and omnibus allegation. It has lastly been submitted that the petitioner nos. 1, 3 and 4 have no criminal antecedent whereas the petitioner no. 2 has one criminal antecedent in which he is on bail.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners set the house of the informant on fire and attempted to kill them.

6. Considering the aforesaid submissions made by the parties and taking into account the fact that even during the



course of investigation, no material was recovered by the police which is said to have been burnt during such fire as also the fact that the petitioners carries clean antecedent and it has also been submitted that the petitioner no. 2 who was made an accused in one case and in the said case, the police has submitted final form, in view of the above, 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 Andharathari P.S. Case No. 97 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 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 bonds of the petitioners will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent 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 necessary steps 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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