

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8198 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Mantu Rai, S/o Budhan Rai, R/o Vill.- Rampur Bhatthi, P.S.- Raghapur, District- Vaishali
2. Raju Rai @ Rajan Kumar, S/o Budhan Rai, R/o Vill.- Rampur Bhatthi, P.S.- Raghapur, District- Vaishali
3. Kaila @ Surendra Rai, S/o Late Jaglal Rai, R/o Vill.- Rampur Bhatthi, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate Mr. Kumkum Bhagawati, Advocate Ms. Ayushi Gupta, Advocate Ms. Pragya, Advocate Ms. Shyamli Kumari, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Raghapur P.S. Case No. 122 of 2025, registered for the offence(s) under Section(s) 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that her husband Kasim Khalifa, under a pre-planned conspiracy, had gone along with the FIR named accused persons including the petitioners. It has further been alleged that the



informant received a news that the accused persons had committed murder of her husband and after leaving the dead body at N.M.C.H., they fled away from there.

4. The learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case without any basis and admittedly the husband of informant had died on 10.05.2025, but the present case, as an after thought, was lodged on 13.05.2025. The learned counsel for the petitioners referred to the case diary wherein during the course of investigation, it has come to notice that the husband of informant while working at an under construction hospital, had fell unconscious and was taken to the hospital by his co-workers besides petitioner no. 2 Raju Rai, under whom he was working, where he was declared dead. The learned counsel further referred to the post-mortem report of the deceased wherein nothing untoward has been reported and no external injury was even found over the body of the deceased. It has lastly been submitted that the petitioner nos. 1 and 2 have clean antecedents while petitioner no. 3 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 grant of anticipatory bail to the petitioners.



6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount, each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Raghopur P.S. Case No. 122 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(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 for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedents of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for



cancellation of their bail bonds. 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)

krishna/deepak/-

U		T	
---	--	---	--

