

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10609 of 2026

Arising Out of PS. Case No.-312 Year-2025 Thana- RIVILGANJ District- Saran

1. Pappu Rai @ Pappu Kumar Rai, aged about 31 years, Gender- Male, S/O Dindayal Rai
 2. Ajay Kumar Rai @ Ajay Rai, aged about 33 years, Gender-Male, S/O Hareram Ray
- Both are R/O Village- Godna More, P.S- Rivilganj, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar, APP
For the informant	:	Mr. Rakesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2026 Heard Mr. Dewendra Narayan Singh, learned counsel appearing on behalf of the petitioners; Mr. Anil Kumar learned APP for the State and Mr. Rakesh Kumar, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Rivilganj P.S. Case No. 312 of 2025 registered for the offence(s) punishable under Sections 126(2),115(2),109,303(2),351(2),352,3(5), of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners have abused and assaulted the informant and his family members, causing injury to them.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submitted that the allegation against Petitioner no. 1 is that he assaulted the informant on the left hand with an iron pipe. The injury was found on the middle finger and has been opined to be grievous in nature, caused by a hard and blunt substance. However, the said injury is not on a vital part of the body. So far as Petitioner No. 2 is concerned, the allegation against him is that he assaulted the informant on the head with a sword. However, the injury report does not record any sword injury or any injury on the head and specific statement with regard to the same has been made in paragraph no.9 of the bail petition, which falsifies the entire prosecution story. Petitioner no.1 has clean antecedent, whereas petitioner no.2 has one criminal antecedents, in which, he is on bail. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Mr. Rakesh Kumar, learned counsel, has tendered his appearance on behalf of the informant and has vehemently opposed the prayer for grant of pre-arrest bail.

6. Learned APP for the State also vehemently opposed the prayer for grant of pre-arrest bail.



7. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the FIR, and also considering the fact that the injury sustained by the informant is not on the vital part of his body and it has been claimed in paragraph no.9 of the bail application that no head injury has been found on the person of the informant, **the learned District Court is directed to call for the final opinion of the doctor in respect of the injury sustained by the informant and if it is found that there is no grievous head injury on the person of the informant, then in that case, the petitioners, above named, are directed to be released on pre-arrest bail in connection with Rivilganj P.S. Case No. 312 of 2025 on such terms and conditions as the learned District Court deems it fit and proper.**

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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