

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16473 of 2026

Arising Out of PS. Case No.-54 Year-2024 Thana- SHIVAJINAGAR District- Samastipur

1. Shyam Nath Rai @ Shivrath Rai Son of Manoj Kumar Rai @ Manoj Rai @ Manoj Kumar Ray R/o Village - Dasaut, P.S - Hathauri, District - Samastipur, Bihar.
2. Sanjeet Kumar Rai @ Sanjeet Rai Son of Surendra Rai R/o Village - Dasaut, P.S - Hathauri, District - Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2026 1. Heard learned counsel for the petitioners, the learned APP for the State and the learned counsel appearing on behalf of the informant, Mr. Samrendra Kumar Jha.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 has antecedent of nine cases and petitioner no. 2 has antecedent of six cases and are in custody since 27.12.2025. It is next submitted that informant alleges that accused persons came and Shyam Nath Rai @ Shiv Nath Rai (petitioner no. 1) along with Sanjit Kumar Rai @



Sanjit Rai (petitioner no. 2) assaulted by an iron rod causing injury on head of the informant, thereafter, Sanjit Kumar Rai assaulted by butt of pistol causing injury on chest and waist, further Ram Sagar Rai snatched chain of the informant and when Santosh came to save him all accused assaulted him.

4. At this stage, the learned counsel appearing on behalf of the informant submits that petitioners had earlier moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 49401 of 2025 and the same came to be rejected by an order dated 11.08.2025, against which the petitioners filed SLA (Crl.) No. 13616 of 2025 and the same came to be rejected by the Hon'ble Supreme Court by an order dated 04.09.2025. It is next submitted that thereafter the petitioners surrendered before the learned Trial Court, but by then process under Sections 82 and 83 Cr.P.C were already issued.

5. Learned counsel appearing on behalf of the petitioners submits that on account of dispute relating to land, the petitioners have been falsely implicated in the instant case by the informant, on which the learned counsel appearing on behalf of the informant submits that the land dispute is in between Santosh and his step brother, Vinod Kumar Rai and



petitioners are neither related to Santosh or Vinod. It is further submitted that the informant of the instant case was sitting at the doors of Santosh when the accused persons including the petitioners came and thinking that Santosh is supported by the informant, as such, he was assaulted brutally leading to grievous injury.

6. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the regular bail application of the petitioners and submits that petitioner nos. 1 and 2 have antecedent of nine cases and six cases respectively and if privilege of regular bail is granted, the petitioners may abscond or try to tamper with the evidence, on which the learned counsel appearing on behalf of the petitioners submits that no doubt allegation is of assaulting the informant and Santosh, but then the assault is not alleged to be repeated and one of the injuries of informant has been opined to be grievous and the injury suffered by Santosh has been opined to be simple in nature.

7. At this stage, the learned APP reiterates and submits that if privilege of regular bail is granted to the petitioners, they may abscond.

8. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioners on bail.



9. However, the petitioners would be at liberty to
renew their prayer for bail after framing of charge.

**10. Accordingly, the instant regular bail application
stands rejected.**

(Satyavrat Verma, J)

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