

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16964 of 2026

Arising Out of PS. Case No.-327 Year-2025 Thana- RAXAUL District- East Champaran

1. Pawan Kumar S/o Panala Rai Nat @ Pannalal Rai @ Pannalal Rai Nat R/o Village - Anand Sagar Pipariya, P.S - Palanwa, District - East Chamaparan
2. Rajnish Rai S/o Late Bindeshwari Rai R/o Village - Anand Sagar Pipariya, P.S - Palanwa, District - East Chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-04-2026 Heard learned counsel for the petitioners and the State.

2. After some argument, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with regard to petitioner no. 1.

3. Permission is granted.

4. This anticipatory bail application with regard to petitioner no. 1 is, accordingly, dismissed as withdrawn.

5. Petitioner no. 2 apprehends arrest in a case registered for the offences punishable under Sections 329(3), 118(1), 126(2), 109(1), 115(2), 303(2), 3(5) of the Bharatiya Nyaya Sanhita.



6. Prosecution case, in brief, is that on 24.7.2025 at about 1:10 AM, when informant along with his family members was going for the treatment of his father, all the F.I.R. named accused persons, including this petitioner, armed with weapons, surrounded them and assaulted informant. When family members of the informant came out of the car to save him, they were also assaulted by the accused persons. This petitioner along with other accused persons is alleged to have given knife blow on the chest of informant. This petitioner along with co-accused Pawan Kumar snatched Rs. 50,000/- from the pocket of informant and one gold ring from the brother of informant.

7. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Both parties are agnates and due to petty dispute, altercation took place between them in which both sides sustained injuries. Specific accusation of assault with knife is against other co-accused persons. There is general and omnibus allegation of assault against this petitioner and there is no allegation of any specific overt act against him. Rest of the allegations are ornamental only to make the case grave.

8. Learned A.P.P. for the State vehemently opposed the bail application.



9. Considering backdrop of the case, nature of accusation and other facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner no. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Raxaul P. S. Case No. 327 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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