

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22320 of 2026

Arising Out of PS. Case No.-269 Year-2024 Thana- PASRAHA District- Khagaria

1. Pritam Kumar @ Gaurav Kumar Son of Mani Kant Rajak R/o Village - Chukti, Police Station - Mansi, Dist.- Khagaria
2. Suraj Kumar S/o Mani Kant Rajak R/o Village - Chukti, Police Station - Mansi, Dist.- Khagaria
3. Saurav Kumar S/o Mani Kant Rajak R/o Village - Chukti, Police Station - Mansi, Dist.- Khagaria
4. Sumit Kumar S/o Late Barelal Rajak R/o Village - Chukti, Police Station - Mansi, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 16-04-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners are permitted to make necessary corrections in the cause-title/party array of the writ petition with reference to supplementary affidavit filed in this case, during the course of the day.

3. The petitioners are apprehending their arrest in connection with Pasraha P.S. Case No.269 of 2024, F.I.R dated 03.11.2024 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 117(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.



4. According to prosecution case, on 03.11.2024 at around 7 A.M., the informant, Ranjit Pandit, was on his way to work when accused Mani Kant Rajak stopped him near his house and asked him to do tile work. Upon refusal, Mani Kant abused and threatened to kill him. Thereafter, Mani Kant along with other named accused persons, Pritam Rajak, Saurab Kumar, Suraj Kumar, and Sumit Kumar, surrounded the informant and assaulted him with lathis and fists. During the incident, one person held his leg while Mani Kant allegedly pressed his throat by climbing on his chest, causing injury to his nose. It is further alleged that Mani Kant Rajak has a criminal background with prior cases in Pasraha, Khagaria, and Gogri police stations, and he also threatened to falsely implicate the informant under the SC/ST Act.

5. Learned counsel for the petitioners submits that the allegation levelled against these petitioners are general and omnibus and the specific allegation of overt act is against Mani Kant Rajak, who is not a petitioner in this case and as against these petitioners, there is nothing specific against them. It has further been submitted that the injuries sustained by the informant have also been found to be simple in nature and the petitioners have no criminal antecedent.



6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the allegation levelled against these petitioners are general and omnibus and the specific allegation of overt act is against Mani Kant Rajak, who is not a petitioner in this case and there is nothing specific against these petitioners. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

8. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria, in connection with Pasraha P.S. Case No.269 of 2024,, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide



official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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