

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24443 of 2026

Arising Out of PS. Case No.-250 Year-2025 Thana- PIPRA District- East Champaran

1. SHIVAM RAI @ SHIVAM KUMAR S/o- Mahendra Rai R/v- Gosaipur Ps-
Pipra Dist- East Champaran
2. Dilip Rai @ Dilip Kumar S/o- Bhikar Rai @ Bhikhari Rai R/v- Gosaipur Ps-
Pipra Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118, 109, 303(2), 351(2), 352 and 3(5) of the B.N.S., 2023 and 25(9) of the Arms Act.

3. Learned counsel for the petitioner submits that Petitioner No.1 has antecedent of one case and the Petitioner No. 2 is a person with clean antecedent and the informant alleges that he imparting tuition to student in a rented room of Jaishrilal Prasad, further on 24.05.2025 at 06:15 PM, the named accused persons including the petitioner along with 15-20 unknown accused came and on orders of Chandan accused Ratnesh stabbed him causing injury on head and repeated the blow causing injury on hand, further Harsh tried to strangulate him by a rope, next alleges that



Petitioner No. 1 snatched Rs. 6,000/- and a chain further Chandhan had earlier threatened him and Ratnesh possesses arms as would manifest from him Facebook post.

4. Learned counsel appearing on behalf for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that even presuming what has been alleged is true without admitting the allegation is stabbing is against Ratnesh, it is further submitted that though informant alleges that he was stabbed by Ratnesh causing injury on head and hand, but then from perusal of the injury report, it would manifest that injury of the informant on head is opined to be simple caused by hard and blunt substance, whereas injury on hand is also opined to be simple in nature, but then was caused by a sharp edged weapon, it is next submitted that as far as petitioners are concerned allegation against Petitioner No. 1 is of snatching Rs. 6,000/- and a chain of the informant and as far as Petitioner No. 2 is concerned, no specific allegation alleged against him. It is also submitted that Ratnesh was arrested, but then was granted regular bail by an order dated 22.07.2025 in B.P. No. 1698 of 2025, it is also submitted that parties have compromised.

5. Learned A.P.P. for the State opposes the anticipatory bail application and submits that the case is not compoundable and if the parties have compromised that amply demonstrates that



informant who is a teacher and imparts tuition to student was forced to enter into a compromise, it is further submitted that similarly situated co-accused Chandhan Rai and Santosh Rai had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 71839 of 2025 and the same came to be rejected by an order dated 16.10.2025 observing that Chandhan and Santosh may not have inflicted the stab wound to the informant, but then their presence at the place of occurrence emboldened Ratnesh to commit the occurrence of stabbing, it is thus submitted that case of the petitioner if not akin is to similar to the case of Chandan and Santosh, as their presence at the place of occurrence definitely emboldened Ratnesh to commit the occurrence of stabbing.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The application stands rejected.

(Satyavrat Verma, J)

Nitesh/-

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