

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34461 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- EKMA District- Saran

1. Devbalam Rai @ Devbalak Rai Son of Bhikhari Rai Residents of Village- Sinduwar Police Station- Ekma District- Saran at Chapra
2. Lal Babu Rai Son of Rajbalam Rai Residents of Village- Sinduwar Police Station- Ekma District- Saran at Chapra
3. Baliram Rai son of Late Bishunath Rai Residents of Village- Sinduwar Police Station- Ekma District- Saran at Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rahul Raj

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 19-05-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application for anticipatory bail arises out of Ekma P.S. Case No. 258 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 118(1), 303(2), 352, 109, 3(5) of the Bhartiya Nyaya Sanhita.

3. As per allegation, due to dispute between children, petitioners and other co-accused persons started assaulting the informant and allegedly co-accused Shyam Babu Rai and Ram Babu Rai caught hold of the informant, while petitioner No.2, Lal Babu Rai, is alleged to have inflicted *Farsa* blow on the head of the informant, due to which he sustained cut injury.



4. Learned counsel for the petitioners has submitted, referring to the impugned order, that although finding as regards the injury has been given in the impugned order, but the nature of injury has not been mentioned and had the nature of injury been grievous, the same would have been mentioned in the impugned order. It has further been submitted that the occurrence took place suddenly without any premeditation to kill and there is no allegation of repetition of blow against petitioner No.2, while there is no allegation of assault against petitioners No. 1 and 3. It has further been submitted that there is delay of about 50 days in lodging the FIR, when *fard beyan* came to be recorded in the hospital on the next day of the alleged occurrence..

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances, let the petitioners above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in



connection with Ekma P.S. Case No. 258 of 2025, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita.

(Praveen Kumar, J)

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