

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29567 of 2026

Arising Out of PS. Case No.-164 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Baleshwar Rai @ Baleshavar Ray Son of Late Natho Ray Resident of Village-
Vishanpur Beri Motior, P.S.- Mohiuddinnagar, District- Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2026 Heard Mr. Bhavesh Kumar, learned counsel for the
petitioner, the State as also the informant.

2. The petitioner is apprehending arrest in connection with Mohiuddinnagar P.S. Case No. 164 of 2025 instituted under section 126(2), 115(2), 118(1), 109(1), 329(3), 329(4), 352, 351(2), 351(3), 3(5) of the Bharatiya Nayay Sanhita, 2023 lodged on 04.08.2025 by the informant, Vipin Kumar Ray.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused persons threatened of dire consequences if the payment is not made and later, after abuse, not only the tractor was damaged, they were also assaulted. Further, allegation is that chain and cash were taken away. This led to the FIR.

4. Learned counsel for the petitioner submits that for



an incident that took place on 22.07.2025, the FIR was lodged on 01.08.2025. Omnibus allegation is there against this petitioner who has no criminal antecedent. Further, it is counter blast to the earlier case, FIR was lodged on 23.07.2025 by Sudhir Rai alleging that this informant (Bipin Rai) alongwith the other accused persons after abuse, resorted to fire and the specific allegation against Bipin Rai is of causing death of his brother, Sunil Rai. Accordingly, on 23.07.2025, the FIR was lodged.

5. Learned APP as also the learned counsel for the informant opposes the prayer submitting that the allegation of assault is on this petitioner.

6. Considering the submissions of the parties as also the fact that has been incorporated above, omnibus allegation is there, the petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Mohiuddinnagar P.S.



Case No. 164 of 2025 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Shahpur Patory, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner 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 bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner 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;

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

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

