

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39372 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- DAWATH District- Rohtas

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Dhirendra Ray S/o Late Sudama Ray Resident of Village - Dharkandha, P.S.-
Dawath, District-

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv
For the Opposite Party/s : Mrs. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Dawath P.S. Case No. 28 of 2026, registered under Sections 126(2), 115(2), 125(a), 125(b), 109, 132, 221, 74, 222, 262, 324(3) of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written reported submitted by the informant to the effect that on the date of occurrence while the informant along with police party went to village Gharasksha P.S. Dawath to arrest the accused persons named in Dawath P.S. Case No. 27 of 2026. On seeing the police party, one person started fleeing away from the house of the accused Kallu Rai, however, he was apprehended and he disclosed his name Mangni Rai. When the police party was taking the apprehended



person in the police vehicle, around 20-25 men and women gathered there armed with sticks, bricks and other weapons and attempted to forcefully free the apprehended person from the custody of the police. It is alleged that the named accused persons namely Munar Kumari and Manika Kumari caught hold of Mangni Rai and tried to pull him away from the police vehicle. Co-accused Dhanu Kumar and Manu Rai misbehaved and assaulted lady constable namely Nidhi Kumari. The mob became violent and started assaulting the police party with fists, slaps, lathis and other weapons, due to which police personnel sustained injuries. It is case of the informant that the petitioner was requested to pacify the mob, however, he flatly refused to do so and on his instigation, the mob started assaulting the police personnel, due to which they suffered injuries.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the petitioner has falsely been implicated in the present case, since he happens to be the resident of the village and he was not even present at the place of occurrence on the alleged date of occurrence. He further submits that altogether six named and 15-20 unknown persons have been made accused in the present case without any justifiable basis. The petitioner



has got no concern with the present occurrence. The learned counsel for the petitioner further submits that petitioner has got a clean antecedent.

5. Per Contra, the learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner and submits that the allegation against the petitioner is of causing hindrance in the working of the police officials which is serious in nature and the police personnel have received injuries.

6. Having considered the rival submissions and after going through the records, it appears that while the police party went to the village to arrest accused person, in relation to Dawath P.S. Case No. 27 of 2026 and succeeded in apprehending one Mangni Rai, the mob assembled there and started obstructing in performance of duty of the police personnel. When the same was objected by the police personnel, the mob started assaulting the informant and others, due to which they suffered injuries. The learned counsel for the petitioner has provided certified copy of the injury report of the injured police personnel, which suggests that the injuries sustained by the injured, including the informant have been found to be simple in nature by the treating doctor. Further there is no specific allegation of any assault against the petitioner and



the only allegation which has been levelled against the petitioner is that he instigated the crowd. Let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Bikramganj(Rohtas) in connection with Dawath P.S. Case No. 28 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and subject to the following condition:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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