

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42126 of 2026

Arising Out of PS. Case No.-269 Year-2025 Thana- DERNI BAZAR District- Saran

1. Anish Kumar @ Golu Kumar Rai S/o Kameshwar Rai R/o Village - Kothiya, P.O and P.S- Derni, District- Saran.
2. Nitish Rai @ Nitish Kumar S/o Mahesh Ray R/o Village - Kothiya, P.O- Fursatpur, P.S- Derni, District- Saran.
3. Umesh Rai S/o Ramanand Rai R/o Village - Kothiya, P.O- Fursatpur, P.S- Derni, District- Saran
4. Upendra Rai @ Upendar Rai S/o Sama Rai R/o Village- Kothiya, P.O - Fursatpur, P.S- Derni, District- Saran
5. Bhushan Rai @ Chandrabhushan Rai S/o Nathuni Rai R/o Village - Kothiya, P.O- Fursatpur, P.S- Derni, District- Saran
6. Om Prakash Rai S/o Bhushan Rai R/o Village - Kothiyan, P.O- Fursatpur, P.S- Derni, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Kashyap, Adv.
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Derni Bazar P.S. Case No. 269 of 2025 dated 01.12.2025 registered for the offence punishable under Sections 126(2), 115(2), 118(1), 74, 109, 303(2), 352, 351(2), 351(3), 191(2), 191(3) of the B.N.S., 2023.

3. As per the prosecution's case, the allegation against the



petitioners is of jointly assaulting the complainant and her family members, causing them serious injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. By referring to the allegations made in the F.I.R., counsel for the petitioners submits that the specific allegation of overt act is against Rakesh Kumar, Krishna Rai and Roshan Rai who are said to have fired from a country-made pistol, while there is no recovery of any pistol. It is next submitted that the injuries, which are said to have been sustained by the Informant and her family members, have been found to be simple in nature though caused by blunt substance. It is next submitted that for an allegation which is said to have taken place at 7 AM in the morning on 30.11.2025, the F.I.R. is said to have been lodged on 01.12.2025 at 12.30 PM and there is no explanation for such delay.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners. However, the facts, which have been submitted by the counsel for the petitioners, have not been disputed.

6. Having heard learned counsel for the petitioners and considering the fact that no specific allegation of overt act has



been leveled against the petitioners and the injuries sustained by the Informant and his family members are found to be simple in nature and, as also, the petitioners bearing no criminal antecedents, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran in connection with Derni Bazar P.S. Case No. 269 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the 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 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.

(Ajit Kumar, J)

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