

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38999 of 2026

Arising Out of PS. Case No.-74 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Suresh Rai S/O Late Khamir Rai Resident of Village- Rahsha West, PS- Bhagwanpur, District- Vaishali,
2. Ranjan Kumar S/O Suresh Rai Resident of Village- Rahsha West, PS- Bhagwanpur, District- Vaishali,
3. Chandan Kumar S/O Suresh Rai Resident of Village- Rahsha West, PS- Bhagwanpur, District- Vaishali,
4. Aman Kumar S/O Mantu Rai Resident of Village- Rahsha West, PS- Bhagwanpur, District- Vaishali,

... .. 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. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The petitioners seek bail in a case registered for the offences punishable under Sections 126(2), 115, 109, 117, 351(2), 352 and 3(5) of the BNS and subsequently Section 103(1) of the BNS has been added.

3. Learned counsel for the petitioners submits that petitioners no. 1 and 3 have antecedent of two cases and petitioners no. 2 and 4 are persons with clean antecedent. It is further submitted that petitioners had earlier moved this Court seeking anticipatory bail by filing Cr. Misc. No. 49388 of 2025



and the same came to be rejected by an order dated 11.08.2025 and thereafter the petitioners moved before the Hon'ble Supreme Court by filing Special Leave Petition (Criminal) Diary No. 4285 of 2026 but the same also came to be rejected by an order dated 25.02.2026. It is next submitted that thereafter petitioners surrendered before the learned trial court and were taken in custody on 11.03.2026. It is also submitted that Baidyanath Rai @ Machar Rai and Krishna Rai @ Kishan Kumar @ Krisha Rai had approached this Court seeking regular bail by filing Cr. Misc. No. 49948 of 2025 and the same came to be allowed by an order dated 23.12.2025. It is further submitted that informant alleges that Pradip Das was performing Puja in the temple while the accused persons including the petitioners were drinking in the premises of the temple and when Pradip Das objected, the accused persons assaulted him and when the informant came to save him, Sudhir Kumar along with other accused persons assaulted the informant indiscriminately by rod on his head causing injury and fracture of hand. Further, when Mukesh and Shivshankar came to save them, they were also assaulted and threatened.

4. Learned counsel appearing on behalf of the petitioners submits that Pradip Das, during the course of



treatment, died. It is further submitted that no doubt Pradip Das died but then allegation of assault is not specific and he suffered only one injury on head. It is next submitted that case of the petitioners, if not akin, is similar to the case of Baidyanath Rai @ Machar Rai and Krishna Rai @ Kishan Kumar @ Krisha Rai. It is also submitted that charge-sheet has been submitted and if the privilege of regular bail is granted to the petitioners, the petitioners will not abscond rather will cooperate in the trial to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioners.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioners and also taking into consideration the order dated 23.12.2025 passed in Cr. Misc. No. 49948 of 2025, the petitioners, above-named, are directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Bhagwanpur P.S. Case No. 74 of 2025.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioners, after their release



on regular bail, are trying to delay the framing of charge or after framing of charge are trying to delay the trial of the case in any manner, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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