

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42642 of 2026

Arising Out of PS. Case No.-430 Year-2025 Thana- MAHUA District- Vaishali

1. VIKASH RAY S/o Late Jagdev Ray R/o vill - Lagurao Bilanpur, P.s.- Mahua, Distt.- Vaishali
2. Chandeshwar Ray S/o Late Jagdev Ray R/o vill - Lagurao Bilanpur, P.s.- Mahua, Distt.- Vaishali
3. Shravesh Ray S/o Late Jagdev Ray R/o vill - Lagurao Bilanpur, P.s.- Mahua, Distt.- Vaishali
4. Vijay Ray S/o Upendra Ray R/o vill - Lagurao Bilanpur, P.s.- Mahua, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Keshaw Bhardwaj, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Mahua P.S. Case No. 430 of 2025, instituted for the offences under Sections 191(2), 126(2), 127(2), 351, 352, 115(2), 109, 331, 140(3), 324(4) and 303(2) of the B.N.S.

3. As per the Prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on the date of occurrence, a Panchayat was being held. All the accused persons, including



the petitioners herein came armed with weapons and they dragged the informant away and started assaulting him. All the petitioners, including the accused persons assaulted the informant, due to which, he sustained injuries and when the son of the informant came there to save him, all the accused persons abducted him. The informant was admitted for treatment at Sadar Hospital.

4. The learned counsel for the petitioners submits that the allegation leveled in the first information report are entirely false and fabricated. No such occurrence has taken place. He further submits that during course of investigation, it was found that the son of informant namely, Vishal Kumar is in constant touch with his family members and to make the offence serious, the allegation of kidnapping has been leveled against the petitioner and others. He further submits that the informant Amarjeet Ray filed a criminal writ petition bearing Cr.W.J.C. No. 1167 of 2025 before this Hon'ble Court for a direction upon the respondents to conduct free and fair investigation in a time bound manner under monitoring of this Court, along with some other prayers. He submits that the said criminal writ petition was disposed of vide order dated 12.05.2026 passed by a Hon'ble Single Judge of this Court by referring to the



supplementary counter affidavit filed on behalf of the S.H.O. Mahua Police Station, wherein it was stated that in the supervision conducted by the senior officials, the case of kidnapping was not found to be proved. In view of the statement given by the S.H.O. of the Mahua Police Station, the writ petition was disposed of with an observation that in view of the statement made in paragraph No. 8 (x) to (xiii) of the supplementary counter affidavit, the grievance of the petitioners shall redressed. The learned counsel for the petitioners submits that the petitioners have got one criminal antecedent bearing Complaint Case No. 666 of 2025, for having committed offences under different sections of the B.N.S., however in the said case, the petitioners are on bail.

5. *Per Contra*, the learned APP for the State opposes the prayer for grant of bail to the petitioners and submits that the allegations of kidnapping are against the petitioners and the son of the informant has not been recovered. Therefore, taking into consideration, the nature of allegation, the petitioners does not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that a general and omnibus allegation has been leveled against the petitioners and all the



accused persons of assault on the body of the informant. Further, allegation has been leveled with regard to the kidnapping of the son of the informant. However, from perusal of the order dated 12.05.2026 passed in Cr.W.J.C. No. 1167 of 2025, it would transpire that the I.O. in the supplementary affidavit had stated to the effect that the allegation with regard to kidnapping of the son of the informant has been found to be not true by the supervising authority and the son of the informant is in constant touch with his family members. Further, from perusal of the order dated 09.02.2026 passed by learned Principal District & Sessions Judge, Vaishali at Hajipur in Anticipatory Bail Petition No. 3457 of 2025, it would transpire that after going through the case diary, he has recorded that the treating doctor has found the injuries to be simple in nature. Considering the above, let the petitioners, 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.J.V -cum- A.C.J.M.-IV, Vaishali at Hajipur in connection with Mahua P.S. Case No.430 of 2025, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioners. 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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