

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48309 of 2026

Arising Out of PS. Case No.-44 Year-2024 Thana- DERNI BAZAR District- Saran

1.

Chandan Rai, S/o Late Shiv Sagar Rai, R/o Village- Chhotaka Baneya, P.S.-
Derni, District- Saran
2.

Anil Rai, S/o Late Shiv Sagar Rai, R/o Village- Chhotaka Baneya, P.S.-
Derni, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2026 Heard learned Advocate for the petitioners and the
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Derni Bazar P.S. Case No. 44 of 2024 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Allegedly on the date and time of occurrence, when the accused persons were engaged in playing DJ in maximum sound and when the same was objected by the daughter of the informant, all the accused persons, including the petitioners, armed with *Lathi*, *Danda* and *Iron* rod came there and brutally assaulted the informant and her family members, due to which



three persons have sustained serious injuries.

4. Learned Advocate for the petitioners drawing the attention of this Court to the F.I.R. contended that there is no specific allegation attributed against these two petitioners and the injuries, which are specifically attributed to co-accused Mukesh Rai and Anuj Rai are not before this Court. Referring to the injury report, it is further contended that all the three persons have sustained simple injury, except one injury, which has been found over the shoulder joint of the informant, the opinion of which is still reserved, however, the same is not on vital part. It is further contended that there is counter version of the present case, being Derni P.S. Case No. 43 of 2024, which is on earlier point of time and in the said incidence the members of the petitioners' side have also sustained injuries. Prior to the institution of the present case, the petitioners are carrying fair antecedent. However, subsequently, petitioner no.1 has been made accused in one another case.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners have actively participated in the crime, due to which three persons have sustained serious injury.

6. Regard being had to the submissions made on



behalf of the learned Advocate for the respective parties and considering the absence of any specific accusation against the petitioners, coupled with the factum of case and counter case as well as the nature of injuries, besides prior to the institution of the present case, the petitioners were carrying fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran in connection with Derni Bazar P.S. Case No. 44 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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