

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55511 of 2025

Arising Out of PS. Case No.-486 Year-2023 Thana- BARH District- Patna

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Pappu Rai S/o Chaneshwar Rai R/o Village - Pchhiyari Malahi, P.S - Barh,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Anjana, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barh P.S. Case No. 486 of 2023 dated 29.07.2023 registered for the offences punishable under Sections 147, 149, 341, 323, 325, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant has alleged that all the F.I.R. named accused persons including the petitioner variously armed with gun, rifle and axe etc., started abusing and on protest, the accused persons started assaulting the informant and when his brother tried to save him, he was also assaulted by the accused persons.

4. The learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. It has further been submitted that from bare perusal of the F.I.R., it would be evident that there is a general and omnibus allegation against all the accused persons and during the course of investigation, a few witnesses draw have stated about the petitioner having repeatedly assaulted with the help of axe but from perusal of the injury report which forms part of the case diary, it would be evident that there are only single injury sustained by both the informant, Shambhu Rai as well as his brother, Sona Rai and both the injuries are found to be simple in nature. Learned counsel has further submitted that the petitioner has no concern with the alleged incident. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Court below where the case is pending/successor court in connection with Barh P.S. Case No. 486 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made



in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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