

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73626 of 2025

Arising Out of PS. Case No.-802 Year-2024 Thana- GARKHA District- Saran

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1. Vijay Kumar Ray @ Vijay Rai S/o Alakh Ray @ Alakh Rai R/o vill - Tahal Toal, P.S.- Garkha, Distt.- Saran at Chapra
 2. Tufani Kumar @ Pappu Kumar S/o Balam Rai @ Raj Balam Rai R/o vill - Zilkabad Mathiya, P.S.- Garkha, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-05-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 118(2), 109(1) and 132(4) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case under the Excise Act and petitioner no. 2 has antecedent of three cases under the Excise Act and the informant alleges that on 28.12.2024, a tractor driver was brutally assaulted for committing an accident, accordingly, the informant reached the place of occurrence,



when named accused persons along with 50 unidentified accused assaulted the police party causing injury to some policemen and also damaged the police vehicle.

4. Learned counsel for the petitioners submits that a villager on account of accident by the tractor died, as such, the villagers had surrounded the tractor and were demanding compensation for the deceased when police force arrived and the villagers in rage had an altercation with the police force, but then it is submitted that allegation of assault and damaging the police vehicle is general and omnibus in nature. It is also submitted that since petitioners have antecedent under the Excise cases, as such, they came to be implicated in the instant case. It is also submitted that if privilege of anticipatory bail is granted, petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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/successor court in connection with Garkha P.S. Case No. 802 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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