

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75486 of 2025

Arising Out of PS. Case No.-259 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Bhagwan Rai @ Bhagyanarayan Rai S/o Gaya Rai R/o Village- Satpipra
Bhumihar Tola, P.S.- Ramgarhwa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar II, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-02-2026 Heard Mr. Dhananjay Kumar No. II, learned counsel
for the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Ramgarhwa P.S. Case No. 259 of 2025 for the offence under sections 316(2), 318(4), 351(2) and 3(5) of the BNS lodged on 13.07.2025 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant alleged that the accused persons, on the pretext of giving job, took away Rs. 6,40,000/- but thereafter, stopped picking up the phone and when he wanted to get the money back, both the petitioner and his son threatened him of dire consequences. This led to the FIR.

4. Learned counsel for the petitioner submits that



admittedly the role of taking money is on his son, he has no role to play, has no criminal antecedent and only because he is father of Amit Kumar Rai, got implicated.

5. Learned APP opposes the prayer submitting that after the informant wanted money back, he alongwith his son, threatened him of dire consequences.

6. Taking into account the submissions of the parties as also that main allegation is against Amit Kumar Rai, he has no criminal antecedent and the amount has gone in the account of his son, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 259 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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