IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77092 of 2026

CNR No. BRHC011110982026

Arising Out of PS. Case No.-225 Year-2026 Thana- BENIPATTI District- Madhubani

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Rajwa Lohar @ Raja Babu Thakur S/o Manoj Thakur @ Shibu Kumar Thakur Resident of Village- Laddugama, P.S.- Benipatti, District- Madhubani

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Prafull Chandra Thakur, Adv.
Mrs. Madhumala Kumari, Adv.
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Benipatti P.S. Case No. 225 of 2026 registered for the offences punishable under Sections 191(2), 126(2), 115(2), 109(1), 303(2), 74, 352, 351(2) & 103 of the BNS.

3. As per the prosecution case, the accused persons came to informant's house armed with weapons, abused, threatened and assaulted her and her family members. It is alleged against the petitioner that the petitioner broke and open a trunk and took away gold and silver ornaments worth Rs. 1.50 lakhs while other co-accused persons committed assaults. Later during

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treatment, the informant's husband succumb to his injury leading to addition of murder charges.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case due to local village politics. It is submitted that the petitioner is a victim of the counter case of Benipatti P.S. Case No. 211 of 2026. It is submitted that there is no specific or major role of assault attributed to this petitioner as the primary allegation of causing injury and specific overt act are directed against other co-accused persons. No incriminating article has been recovered from the conscious possession of this petitioner.

5. It is further submitted that there is an unexplained inordinate delay of lodging the FIR. Petitioner has clean antecedent and is languishing in judicial custody since 21.05.2026. Investigation has been completed and charge-sheet has been submitted. The Co-ordinate Bench of this Hon'ble Court has granted the privilege of anticipatory bail to the three co-accused persons vide order dated 14.10.2026 passed in Cr. Misc. No. 72105 of 2026.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of

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the case, clean antecedent of the petitioner, period of custody as also taking into consideration the fact that there is no specific or major role of assault attributed to this petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Benipatti/concerned court in connection with Benipatti P.S. Case No. 225 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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