IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81399 of 2026

CNR No. BRHC011136312026

Arising Out of PS. Case No.-111 Year-2022 Thana- DORIGANJ District- Saran

==========

Bipin Rai @ Niranajan Rai S/O Late Ramsarekh Rai R/O Village- Balwan Tola, P.S.- Doriganj, Distt.- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Satyam Kumar Ojha, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

==========

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 06-11-2026 Heard Mr. Satyam Kumar Ojha, learned counsel for the petitioner and Mr. Satyendra Prasad, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Doriganj P.S. Case No. 111 of 2022 for the offences punishable under Sections 341, 323, 324, 307, 504 of IPC.

3. The prosecution case, inter alia, as set out in the Fardbeyan of the informant, namely, Gama Rai, is that on 20.02.2022, at about 4:30 P.M., his nephew, Pawan Kumar Rai, was selling chowmein at a stall situated near a Peepal tree, towards the western side of his house. At that time, the co-accused, namely, Rampravesh Rai and Darvesh Rai, came to the

WEB COPY

stall, ordered chowmein and consumed the same. When Pawan Kumar Rai demanded payment, both the accused persons allegedly abused and assaulted him. It is further alleged that when the informant, Gama Rai, along with Sanjeet Kumar, intervened to rescue his nephew, the other accused persons, namely, Niranjan Rai, Bipin Rai alias Niranjan Rai (Petitioner), Jatul Rai, Lalu Rai, Rahul Rai and Sahul Rai, also arrived at the place of occurrence and started abusing them. It is further alleged that thereafter, the co-accused Darvesh Rai assaulted the informant on his head with a 'dab' with the intention to kill him, causing an incised injury from which blood started oozing. Subsequently, another co-accused, namely, Pravesh Rai, assaulted Sanjeet Kumar on his head with an iron rod, resulting in a bleeding injury. The informant has further alleged that thereafter, all the accused persons jointly assaulted the informant, Pawan Kumar Rai and Sanjeet Kumar with rods and sticks. Upon hearing the commotion, several persons from the neighbourhood arrived at the place of occurrence, intervened and rescued the informant and the other injured persons from further assault.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. It is next submitted that earlier

WEB COPY

the petitioner has moved before this Court for grant of anticipatory bail in Cr. Misc. No. 46242 of 2023 which was dismissed for default for non-compliance of peremptory order dated 16.10.2023. Learned counsel for the petitioner next submits that petitioner has falsely been implicated in the present case and allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that although the petitioner is named in the FIR but the specific allegation of assault is attributed against co-accused persons, namely, Darvesh Rai and Rampravesh Rai who have assaulted to the nephew of the informant. It is next submitted that from bare perusal of the FIR it appears that there is no direct and specific allegation against the petitioner of firing rather the allegations are general and omnibus in nature against the accused persons including the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent as well as the fact that there is no direct and specific allegation against the petitioner rather the allegations are general and omnibus in

WEB COPY

nature against all the accused persons including the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Saran at Chapra in connection with Doriganj P.S. Case No. 111 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for

WEB COPY

cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	

WEB COPY