

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89613 of 2025

Arising Out of PS. Case No.-214 Year-2025 Thana- RAGHOPUR District- Vaishali

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1. Anuj Rai @ Ajay Rai @ Anjay Rai @ Anuj @ Anuj Kumar S/O Munarik Rai Resident of Village- Bahrapur, P.S- Raghapur, Rustampur O.P., Distt.- Vaishali At Hajipur.
 2. Ashok Kumar @ Ashok Rai @ Ashok Vyas S/O Raja Ram Rai Resident of Village- Bahrapur, P.S- Raghapur, Rustampur O.P., Distt.- Vaishali At Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sachin Kumar, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Sachin Kumar, learned counsel for the petitioner and Mr. Nagendra Prasad, learned APP for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw the application of petitioner no. 1, namely, Anuj Rai @ Ajay Rai @ Anjay Rai @ Anuj @ Anuj Kumar with liberty to the petitioner no. 1 to surrender before the learned Court below within a period of four weeks from today and seeks regular bail.

3. Permission is accorded.

4. The application of petitioner no. 1 is dismissed as withdrawn with the liberty that the petitioner no. 1, namely, Anuj Rai @ Ajay Rai @ Anjay Rai @ Anuj @ Anuj Kumar



surrenders and seeks regular bail before the learned Court below, the same shall be considered and disposed of, on its own merit, in accordance with law and without being prejudiced by any observation in the present order.

5. The petitioner no. 2, namely, Ashok Kumar @ Ashok Rai @ Ashok Vyas is apprehending his arrest in connection with Raghapur P.S. Case No. 215 of 2025, F.I.R. dated 02.08.2025 registered for the offences punishable under Sections 189(2), 126(2), 115(2), 117, 118, 109, 74, 303(2), 352, 351(2) and 351(4) of the B.N.S.

6. Allegation against the petitioner no. 2 is that he has assaulted to the informant by means of pistol butt on her head due to which he sustained injury.

7. Learned counsel for the petitioner no. 2 submits that the petitioner no. 2 has clean antecedent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that due to some petty dispute the present occurrence had taken place and there is case and counter case between the parties. There is specific allegation against the petitioner no. 2 that he has assaulted to the informant by means of pistol butt on her head and she received injury but the injury inflicted by the petitioner upon the informant is simple in nature



caused by hard and blunt substance.

8. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner no. 2.

9. Considering the aforesaid facts that the petitioner no. 2 having clean antecedent and injury inflicted by the petitioner no. 2 upon the informant is simple in nature, let the petitioner no. 2, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 214 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner no. 2 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.



(2) If the petitioner no. 2 tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner no. 2 and in case at any stage, it is found that the petitioner no. 2 has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner no. 2. 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)

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