

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87445 of 2025

Arising Out of PS. Case No.-270 Year-2025 Thana- BIRAUL District- Darbhanga

1. Lalit Ray @ Lalit Mandal @ Lalit Ram S/o Shankar Ray @ Shankar Mandal R/o Village - Thikka, P.S - Biraul, District - Darbhanga
2. Rohit Ray S/o Ravi Rai R/o Village - Thikka, P.S - Biraul, District - Darbhanga
3. Manoj Ray S/o Binde Ray R/o Village - Thikka, P.S - Biraul, District - Darbhanga
4. Ram Dharokha Devi @ Dharokha Devi W/o Ravi Ray R/o Village - Thikka, P.S - Biraul, District - Darbhanga
5. Shankar Ray @ Shankar Mandal S/o Late Ramphal Ray R/o Village - Thikka, P.S - Biraul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Adv.
	:	Mr. Sumit Kumar Srivastva, Adv.
	:	Mr. Gyan Prakash, Adv.
For the Opposite Party/s	:	Mr. Murli Dhar, App.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-03-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Biraul Police Station Case No. 270 of 2025, disclosing offences under Sections 126(2), 115(2), 74, 109(1), 303(2), 351(2), 352 and 3(5) of the BNS, 2023.

3. As per the prosecution case, on 23.07.2025 at about 10 pm, the informant went out of her house for attending nature's call where the petitioners tried to commit rape.



However, after noise raised by the informant, they fled away. On the next date, 24.07.2025, in the morning, when the informant and her husband were going towards police station to lodge an FIR, in the meantime, petitioners along with other accused persons arrived with iron rod, khanti, danda etc., assaulted the husband of the informant who fell down on the ground. It has been alleged that the petitioners, along with other three accused persons, assaulted by of iron rod and khanti, and when the informant came to rescue him, other accused persons assaulted her by danda. They entered into the house of the informant and took away jewellery, cash, etc.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged and the present FIR has been lodged in retaliation of the FIR lodged by the side of the petitioners against the informant's side bearing Biraul PS Case No. 268 of 2025. The FIR lodged by the petitioners' side is prior in time to the present FIR. The injuries sustained by the informant's husband are simple in nature.

5. On the other hand, learned counsel for the state, referring to the case diary, submits that it is correct that the injuries sustained by the victim are simple in nature.

6. Having regard to the submissions made on



behalf of the parties and taking into consideration the fact that there is a case and counter-case between the parties, injuries caused to the victim are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 learned Additional Chief Judicial Magistrate-I, Biraul, Darbhanga, in connection with Biraul Police Station Case No. 270 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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