

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5119 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- LAKHAURA District- East Champaran

1. Lalan Dev Rai son of Late Harinandan Rai village- Naurangia P.S-Lakhaura Dist- East Champaran
2. Dharam Dev Rai son of Late Harinand Rai village- Naurangia P.S-Lakhaura Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26754 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- LAKHAURA District- East Champaran

1. Ram Wakil Rai @ Ram Wakil Yadav Son of Mahendra Rai village- Naurangiya P.S- Lakhaura Dist- East Champaran
2. Akhilesh Yadav @ Akhilesh Rai son of Ram wakil Rai village- Naurangiya P.S- Lakhaura Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 5119 of 2025)

For the Petitioner/s : Ms. Eashita Raj
Mr. Anuj Kumar

For the Opposite Party/s : Mr. Md. Ataur Rahman
(In CRIMINAL MISCELLANEOUS No. 26754 of 2025)

For the Petitioner/s : Ms. Eashita Raj
Mr. Anuj Kumar
For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-02-2026

Ref:- Criminal Miscellaneous No.5119 Of 2025

Heard the learned counsel for the petitioners and the

learned counsel for the State.

2. The petitioners apprehend arrest in connection with



Lakhaura P.S. Case No. 107 of 2024, registered for the offences punishable under Section 126(2), 115(2), 109(2), 75, 303(2), 352, 351(3) read with Section 3(5) of the Bhartiya Nyaya Sanhita. Subsequently, Section 103(1) of the B.N.S. was added.

3. As per the prosecution case, the petitioners are accused of assaulting the victim with a farsa, and during the treatment, the victim died.

4. Considering the nature of the accusation, the gravity of the offence, and the direct allegation of assault against the petitioners, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners.

5. The application for anticipatory bail is, accordingly, dismissed.

6. The petitioners are directed to surrender in the court below within a period of two weeks from today and seek regular bail, failing which the Superintendent of Police, East Champaran, Motihari will take all steps for the arrest of the petitioners.

7. It is, however, clarified that the observations made herein are limited to the adjudication of the present application and shall not prejudice the case of the petitioners at any subsequent stage of the proceedings.



Ref:- Criminal Miscellaneous No. 26754 of 2025

8. Heard the learned counsel for the petitioners and the learned counsel for the State.

9. The petitioners apprehend arrest in connection with Lakhaura P.S. Case No. 107 of 2024 registered for the offences punishable under Section 126(2), 115(2), 109(2), 75, 303(2), 352, 351(3) read with Section 3(5) of the Bhartiya Nyaya Sanhita. Subsequently, Section 103(1) of the B.N.S was added.

10. As per the prosecution case, petitioner no. 1, Ram Wakil Rai @ Ram Wakil Yadav, is said to have torn the clothes of the informant's granddaughter, Rima Devi, and assaulted her with the butt of a pistol, whereas petitioner no. 2, Akhilesh Yadav @ Akhilesh Rai, is said to have assaulted the informant with a *farsa*.

11. After some arguments, the learned counsel for the petitioners, without prejudice, seeks permission to withdraw the application filed on behalf of the petitioner no. 2.

12. Permission as prayed is granted.

13. Accordingly, the present application filed on behalf of petitioner no. 2 is hereby dismissed as withdrawn.

14. So far as the petitioner no. 1 is concerned, considering the allegations levelled against him, his prayer for



anticipatory bail is allowed.

15. Accordingly, let the petitioner no. 1 Ram Wakil Rai @ Ram Wakil Yadav, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned Court below in connection with Lakhaura P.S. Case No. 107 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

16. It is, however, clarified that the observations made herein are limited to the adjudication of the present applications and shall not prejudice the case of the petitioners at any subsequent stage of the proceedings.

17. Accordingly, this application is partly allowed.

18. Let a copy of this order be communicated to the Superintendent of Police, East Champaran, Motihari through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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