

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.742 of 2026

Arising Out of PS. Case No.-187 Year-2025 Thana- Kumarbagh District- West Champaran

1. Rohit Rai Son of Chandrika Rai Resident of Village - Marchaiya, P.S.- Kumarbagh, District - West Champaran.
2. Sandeep Rai @ Sandeep Kumar Son of Binod Rai Resident of Village - Marchaiya, P.S.- Kumarbagh, District - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.
For the State : Ms. Madhuri Lata, APP.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Kumarbagh P.S. Case No. 187 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 329(3), 109, 303(2), 352, 351(2), 3(5) of BNS.

3. As per prosecution case, on 14/09/2025 the informant was going by his vehicle towards his *Chimney*, meanwhile goat of Prince Rai touched the informant's vehicle upon which co-accused Prince Rai and Renu Devi surrounded the informant's vehicle, abused him and assaulted him. Local people resolved the matter. It is further alleged that on the same



day, petitioners/ Rohit Rai and Sandeep Rai and co-accused Prince Rai, Renu Devi, Umravati Devi, and Lalmuni Kunwar having armed with various weapons came at the chimney of informant and started abusing him and when informant forbade to do so, petitioners caught hold the informant from behind and co-accused Prince Rai assaulted upon the head of informant by means of iron rod as a result of which informant sustained two injuries on the head. Petitioner/Rohit Rai dragged the informant on the ground by putting *gamcha* around his neck. It is further alleged that co-accused Renu Devi, Prince Rai and Umrawati Devi indiscriminately assaulted the informant upon his back and stomach by means of lathi and danda. During the said scuffle, co accused Lalmuni Kunwar, Renu Devi and Prince Rai took away Rs. 1,64,000/- from the box of chimney of informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. There is no specific overt-act of assault against the petitioners. Specific allegation of assault is attributed to co-accused Prince Rai, Renu Devi and Umrawati Devi, who assaulted the informant by means of iron rod, lathi



and danda. The informant sustained simple injury caused by hard and blunt substance. From perusal of the FIR, it is crystal clear that dispute arose on a very petty issue. There is case and counter case between the parties. Apart from that, petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are named in the FIR and hence, they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, there is no specific overt-act of assault against the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Kumarbagh P.S. Case No. 187 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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