

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE- I<sup>st</sup>, BHOJPUR AT ARA**  
**Anticipatory Bail Petition No.378/2026.**  
**(Arising out of Bahoranpur P.S. Case No.96/2025)**

1. Bhupendra Rai, aged about 46 years, S/o Late Rajendra Rai.

2. Dhirenra Rai, aged about 43 years, S/o Late Rajendra Rai

Both R/o Vill- Damodarpur, P.S.- Bahoranpur, District- Bhojpur.

.....Accused/Petitioners

Vs

The State of Bihar

.....Opposite Party

**ORDER**

**09.03.2026**

This anticipatory bail petition filed on behalf of accused/petitioners namely Bhupendra Rai and Dhirenra Rai who are apprehending their arrest in connection with Bahoranpur P.S. Case No.- 96/2025, registered U/s 109(1), 61(2), 3(5) of BNS and section 27 of Arms Act.

Ld. Counsel on behalf of the petitioners has submitted that the petitioners have not committed any offence and they are falsely implicated in this case. He further submitted that no bail application has been filed on behalf of the petitioner earlier either in this learned court or before Hon'ble High Court, Patna nor any bail application is pending in any court. The petitioner Bhupendra Rai was made accused earlier in Shahpur P.S. Case No.2/2017 and Shahpur P.S. Case No.179/2006 and both the cases police sent up him for trial, he was also made accused in Shahpur P.S. Case No.129/2005 and in that case he was acquitted after trial, petitioner Dhirenra Rai was made accused in Shahpur P.S. Case No.179/2006 and Shahpur P.S. Case No.144/2006 and in both cases police sent up him for trial, he was also made accused earlier in Shahpur P.S. Case No.129/2005 and Shahpur P.S. Case No.21/2017 and his both cases he was acquitted after trial, presently Bahoranpur P.S. Case No.90/2025 is pending and in that case he is on bail. From perusal of FIR, it is clear that the petitioners were not present at the place of occurrence at the time of occurrence with co-accused persons. The petitioners are full brother of co-accused persons and with a view to implicate them false and unbelievable statement has been made in the FIR. Co-accused Amrendra Rai has been allowed regular bail by Hon'ble High Court, Patna vide Cr.Misc. No.83399/25 and case of petitioners stands on better footing. The petitioner Bhupendra Rai is a teacher presently posted in primary school nandpur, Bhojpur and is a

heart patient and the petitioner Dharendra Rai is a business man deals in fertilizer. Therefore, A.B.P. of the petitioners may be allowed.

The Ld. Addl. P.P. has strongly opposed the prayer for grant of anticipatory bail and submitted that the allegation against the petitioners is of very serious nature. Hence, he has prayed to reject the prayer for grant of anticipatory bail.

As per the prosecution case, accused Amrendra Rai and accused Raju Rai, who were armed with katta, chased the informant and co-accused fired upon him and the shot hit the son of the informant in left waist. Thereafter, the Amrendra Rai hit on the head of the informant with fighter and the accused Raju Rai hit him with butt of pistol on his head as well causing its fracture. The accused Raju Rai also tried to strangulate the informant.

Heard all the Ld. Counsels. Perused the case record and case diary along with LCR. Upon perusal of case record, it transpires that police registered the case 109(1), 61(2), 3(5) of BNS and section 27 of Arms Act. From perusal of FIR, there is allegation against the petitioners that they allegedly made a phone call on accused Raju Rai stating that "today both the father and son should be finished, this is our old enmity". The allegation of assault is against the co-accused Amrendra Rai and Bhupendra Rai. No specific allegation of over act against the petitioners. As per para-65 of case diary, the petitioner no2.Dhirendra Rai have five criminal antecedents. An affidavit submitted by petitioner no.2., stating that he was accused in Shahpur P.S. Case No.179/2006 and Shahpur P.S. Case No.144/2006 in both cases, after investigation Police have submitted final form stating that this petitioner has not involved in this case. In Shahpur P.S. Case No.129/2005 and Shahpur P.S. Case No.21/2017 in both case, he is acquitted. As per para-67 of case diary, the petitioner have three criminal antecedents. An affidavit submitted on behalf of petitioner no1, stating that in both cases i.e. Shahpur P.S. Case No.21/2017 and Shahpur P.S. Case No.179/2006, after investigation Police have submitted final form stating that this petitioner has not involved in this case. In Shahpur P.S. Case No.129/2012, he is acquitted.

Considering the above mentioned facts and circumstances, nature, seriousness and gravity of offence and no allegation of assault against these petitioners, this court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, petitioner's prayer for anticipatory bail is hereby by allowed on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of like amount on his arrest or surrender within 30 days from the date of receipt of order and to the satisfaction of ld. Court concerned, condition as laid down u/s 482(2) of BNSS. If the affidavit submitted by the accused or their surety is found to be incorrect, false or miselading at any stage, the prosecution shall be at liberty to move for cancellation of bail and the bail shall be cancelled in accordance with law.

{Dictated & Corrected by me}

Sd/-  
Additional Sessions Judge-1<sup>st</sup>  
Bhojpur at Ara  
09.03.2026.

**Memo No.**                      **Dated:-**  
Copy forwarded to the court of.....  
for information and needful.

Additional Sessions Judge-I<sup>st</sup>,  
Bhojpur at Ara.