

In the Court of Additional Sessions Judge-I, Danapur

(Present:- Sri Kumar Gunjan, Addl. Sessions Judge- I, Danapur)

A.B.P. No. 1455 of 2026

(Arising out of Maner P.S. Case No. 607 of 2020)

- 1. Hiro Rai @ Hira Lal Rai, son of Bhola Rai,**
- 2. Kameshwar Rai @ Kameshwar Kumar, son of Baiju Rai,**
- 3. Buchuk Rai @ Virendra Ray, son of Baiju Ray,**
- 4. Shreemati Devi, wife of Hiro Rai @ Hira Lal Rai,**
- 5. Chhti Kumari, daughter of Hridey Ray,**

All Resident of:- Brahmchari Pokhra, Sherpur, P.S.- Maner, Distt.- Patna

..... Petitioners

Versus.

The State of Bihar.

..... Opp.Party

Learned counsel for the petitioners :- Sri Niraj Kumar, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad (A.P.P.)

Order.

29-07-2026 This Anticipatory Bail petition has been filed on behalf of the above-named petitioners, who are apprehending their arrest in connection with Maner P.S. Case No. 607 of 2020, registered under Sections 147, 148, 149, 448, 307, 302, 379, 504, 506 of I.P.C., pending in the Court of Md. Arbaz Ansari, learned J.M.- Ist Class, Danapur.

Heard the learned counsels for the parties.

Apart from pleading innocence, false implication and clean antecedents, learned counsel for the petitioners submits that the police has submitted final form against the above named petitioners in the learned Court but learned Court has taken cognizance and issued notice against them. It is further submitted that in Session Trial Case No. 153 of 2024, which arises from same P.S., the informant Ajay Kumar, wife of deceased namely Chanpatiya Devi and brother of deceased namely Pawan Rai and Guddu Kumar had denied identifying any of the accused and they have not supported the prosecution story and have not deposed his evidence about complicity of these petitioners in the above case, on the basis of which, accused Chandan Rai and Sirda Rai were acquitted by the learned Court of Additional Sessions Judge- III, Danapur on 05-06-2026. In the light of the above submissions, learned counsel prayed for grant of anticipatory bail to the petitioners.

Learned Addl. P.P. opposed the prayer for bail.

Perused the record. On perusal of the same, it transpires that there is no specific allegation against these petitioners in the FIR. He is only said to have been apart of the mob of twenty four persons, who were armed. Allegation of assault with iron rod is

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directed against accused Kamal Kishor Rai, Mahesh Rai, Ajay Rai and Upendra Rai. The police has not sent up these petitioners and submitted final form No. 633/2024 against them but learned Court has taken cognizance against them. Apart from this learned counsel has also filed the photocopy of deposition of all the witnesses including this witness in S.T. No. 153 of 2024, which was conducted for the trial of co- accused. The informant Ajay Rai has deposed during cross-examination that he did not see anyone assaulting due to darkness and he also does not know as to who had written the application and who had inserted the name of accused-persons in the FIR. Other material witnesses have also been declared hostile in that trial as a result of which the co-accused have been acquitted in that case.

Therefore, considering all these facts, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

Hence, they are directed to be released, in the event of their arrest or surrender in the trial Court within Thirty (30) days from the date of this order upon their furnishing bail bonds of Rs. 10,000/-with two sureties of like amount each subject to condition as mentioned in Section 438 (2) of the Cr.P.C. **with a further condition that they will remain physically present on each and every date before the learned trial Court till framing of charge.**

Let a copy of this order be sent to the concerned Court for information and needful.

(Dictated)

Sd./-

(Kumar Gunjan)

Addl. Sessions Judge-I, Danapur.