

In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra
Anticipatory Bail Petition No. 1525 of 2026 (Garkha P.S. Case No. 698/2021)

Abhishek Rai @ Golu Rai V/s State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	02.06.2026	1. Heard learned counsel representing the petitioner-accused as well as learned Public Prosecutor for the State and learned counsel for the informant on anticipatory bail petition of petitioner-accused, namely, Abhishek Rai @ Golu Rai, apprehending his arrest in this Garkha P.S. Case No. 698/2021, registered under Sections 147, 148, 149, 323, 324, 307, 448, 427 & 504 of the IPC r/w Section 27 of the Arms Act, pending in the Court of <i>Ms. Naina Jindal</i>, learned JMFC, Saran at Chapra. 2. FIR of this case has been registered on the basis of <i>fardbeyan</i> of the informant, namely, <i>Dilip Kumar Singh</i>, stating that on 07.10.2021 at about 12:30 P.M., the petitioner-accused along with other accused persons having lathi, daab, brick and country made pistol came at his door and the petitioner-accused abused and shouted him to come out from the house. His brother <i>Sudhir Rai</i> came out of the house on whom the petitioner-accused fired. The pillet crossed touching his temple. He again fired in the air. Then the co-accused, <i>Janardan Rai</i>, gave daab blow on the neck of <i>Sudhir Rai</i> but in a bid to ward off the blow he sustained injury on left elbow. He gave another blow causing injury on right shoulder. When the informant went to save to his brother, co-accused, <i>Deepak Rai</i>, caused injury with “daab” on his head. He again caused injury with “daab” on right side of his chest. When his brother <i>Randhir</i> came for rescue, the petitioner-accused gave “daab” blow causing injury near web of his left hand. When his father intervened, the petitioner-accused and his brother assaulted him with lathi and brick. The son-in-law of the co-accused, <i>Janardan Rai</i>, snatched gold chain of the informant. Brother of son-in-law of the co-accused, <i>Janardan Rai</i>, snatched his mobile phone. Then the co-accused persons, namely, <i>Janardan Rai</i>, <i>Deepak Rai</i> and the petitioner-accused entered into the informant’s house and after breaking open “attache” they took away Rs. 1,50,000/-. At the instigation of co-accused, <i>Binod Rai</i>, this occurrence took place. The injured were taken to <i>PHC, Garkha</i> from where the informant and injured, <i>Sudhir Rai</i>, were referred to <i>Sadar Hospital, Chapra</i>. 3. It is contended on behalf of learned counsel representing the petitioner-accused that he is quite innocent and has not committed any offence as alleged in the FIR. Next asserted that earlier no any regular or anticipatory bail petition has been filed or moved on behalf of the petitioner-accused either in this Court or Hon’ble High Court, Patna in connection with the present case. Next contended that the petitioner-accused has got one criminal antecedent <i>vide</i> Complaint Case No. 2143/2020, except this one. Next contented that all the allegations levelled against the petitioner-accused are false, concocted and against the actual state of affairs. The informant and the petitioner-accused are pattidaars and several cases are going on between both the parties. <i>T.S. No. 70/2013</i> is also going on between the parties, which is pending in the Court of learned <i>Munsif-I</i> and due to this, the informant registered	

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	this false case with a view to pressurizing the petitioner-accused. Next added that this case is the counter blast of <i>Garkha P.S. Case No. 697/2021</i>. Next asserted that after investigation, the police has submitted final form against the petitioner-accused and three others, but the learned Trial Court took cognizance against all of them. Further submitted that that the petitioner-accused is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioner-accused may be enlarged on anticipatory bail. 4. Learned Public Prosecutor opposed the prayer for anticipatory bail of the petitioner-accused. 5. Heard both the sides and perused the materials available on record including the case diary. From the same, it appears that the petitioner-accused, along with other co-accused persons, participated in the alleged assault upon the informant and others. The injury report of injured <i>Sudhir Kumar</i> reveals that one of the injuries sustained by him has been found grievous in nature, as noted in paragraph 45 of the case diary, which <i>prima facie</i> attracts the ingredients of Section 307 of the IPC. Further, the statements of witnesses recorded in para nos. 7 and 8 of the case diary, lend support to the prosecution version. There are specific allegations of assault attributed to the petitioner-accused. It also appears that the petitioner-accused has one criminal antecedent apart from the present case. Moreover, earlier anticipatory bail applications of the co-accused persons of this case arising out of the same occurrence have already been rejected by this Court <i>vide</i> orders dated 22.04.2022 & 07.11.2022 passed in A.B.P. Nos. 995 of 2022 and 2915 of 2022 respectively. 6. Hence, considering the seriousness of the offence, the manner of commission of the offence, nature of injury, one criminal antecedent, earlier bail rejection of the co-accused persons of this case, and the reasons mentioned herein-above, the petitioner-accused is not entitled to get anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioner-accused, namely, Abhishek Rai @ Golu Rai, is hereby rejected. [Dictated] (Puneet Kumar Garg), Sessions Judg, Saran 02.06.2026	