

In the Court of 1st Addl. Sessions Judge, Saran at Chapra.
B.P. no. 906/2026 (Garkha P.S. case no. 802/2024)
Vijay Rai versus State of Bihar.
O R D E R

15.6.2026

Heard learned counsel for the petitioner as well as learned Addl. P.P. for the State on bail petition of petitioner namely Vijay Rai who is in custody since 10.5.2026 in the above referred case registered u/s 191(2), 191(3), 190, 126(2), 118(2), 109(1), 132, 324 (4) of BNS.

FIR of this case has been registered on the basis of typed application of informant namely Sanjay Kumar Bharti, S.I. of Garkha P.S. that on that on 28.12.2024 due to an accident by a tractor, people were protesting against the accident, they have badly assaulted the driver of offending tractor. Informant along with other police personnel reached to the place of occurrence for maintaining law and order situation. But, this accused petitioner along with other FIR named accused persons and 50 un-identified accused persons started assaulting police party, due to which some of police men received injury. Accused petitioner also damaged police vehicle. Police tried to convince the accused persons but they adamant to assault the police men and disturbed them in discharge of their official duties.

It is submitted on behalf of the petitioner that he is innocent, he has not committed any offence, he has been falsely implicated in this case due to suspicion and village politics. There is no any specific allegation against the petitioner. No any regular or anticipatory bail petition has been filed by the petitioner in any court of law, he has got criminal two antecedents, other co-accused person of this case having same allegation has been enlarged on bail by this court vide B.P. No. 1318/2025, he is a cancer patient, petitioner is in custody since 10.5.2026 and he is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioner may be enlarged on bail.

The learned Addl. P.P. opposed the prayer for bail.

Perused the record and on perusal of the same, it is found that the petitioner is named in the FIR with general and omnibus allegation that he along with other FIR named accused persons of this case and 50 unknown accused persons were protesting against an accident, they have also pelted stones and assaulted to on duty police party who were trying to maintain law and order at the place of occurrence. On perusal of injury report of injured Kamlesh Rai it is noted that he has received five injuries on his person caused by hard and blunt substance, C.T. scan of brain was prescribed by the doctor and he reserved his opinion. One another on duty police man has also received injuries. Statement of witnesses have been recorded and all the witnesses examined in this case have fully supported prosecution case. At para no. 82 of case diary, criminal antecedent of accused petitioner has been reported which shows that he is named accused in two other cases. But, there is no any type of specific allegation of assault to any one against the petitioner. Further more the petitioner is in custody since 10.5.2026.

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Considering the above facts and circumstances of the case and petitioner, period of custody undergone by the petitioner and also for the reasons mentioned above, I think it proper to release the petitioner on bail on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to condition laid down u/s 480(2) of BNSS.

(I) the petitioner shall make himself available for interrogation by I.O. as and when required,

(II) that the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the I.O. of the case.

(III) that the petitioner shall not leave India without the previous permission of the Court

(IV) petitioner is directed to co-operate in trial and disposal of the case.

(V) one of the bailor must be the close relative,

(VI) He shall remain physically present in the court concerned till the charge is framed against him.

(Dictated)

1st Addl. Sessions Judge, Saran.