

In the Court of Sessions Judge, Vaishali

A.B.P. No. 1463/2026

1. Anand Rai @ Anand Kumar, aged about 29 years,
 2. Karan Kumar @ Karan Kumar Rai, aged about 19 years,
- Both sons of Nagendra Ray @ Naga Ray, residents of village – Mohanpur, P.S. -
Raghopur, District – Vaishali

:- Petitioners

Versus

State of Bihar

:- O.P.

Appearance :-

Learned counsel for the petitioner :- Sri Ajani Kumar, Advocate

Learned P.P. for the State : Sri Shyam Babu Ray, P.P.

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 5th June 2026

Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioners under section 482 of B.N.S.S. who are apprehending their arrest in connection with Raghopur P.S. Case No. 78/2026 registered u/ss. 191(2), 191(3), 190, 115(2), 352, 351(2), 117(2) & 109 of B.N.S.

It is stated in Para 2 of the anticipatory bail petition that earlier no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written application of the informant is that on 20.02.2026 at about 3:00 PM, the informant was giving fodder and water to his cattle at his bathan. At the same time, the accused persons, namely Hakim Rai, Anil Rai, Sunil Rai, Judge Rai, Arun Rai, Guddu Kumar, Kapil Rai, Ramnan Rai, Brijnathi Rai, Manish Kumar, **Anand Kumar Rai, Karan Kumar Rai**, and Naga Rai, armed with lathi, danda, farsa, and sword, came and assaulted his brothers, namely Sipahi Rai, Vishwakarma Kumar, Ajeet Rai, and Sudama Kumar, with sword, farsa, and iron rod, rendering them unconscious. He took all the injured to the Primary Health Centre, Raghopur, Fatehpur, for treatment. Considering their serious condition, the doctor referred Sipahi Rai,

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Vishwakarma Kumar, Sudama Kumar, and Ajeet Rai to P.M.C.H., Patna. The condition of Sipahi Rai and Vishwakarma Kumar is still critical. Both are battling for life on the hospital bed.

The learned counsel for the above-named accused petitioners submits that the accused petitioners are innocent, have committed no offence and they have falsely been implicated in this case. As a matter of fact, the informant and the petitioners are co-villagers, and on the same day of the alleged occurrence, at about 02:00 P.M., the informant of the present case along with his family members came and assaulted the petitioners and their family members, in respect of which a case has been lodged by the petitioners' side as Raghapur P.S. Case No. 79 of 2026 u/ss 191(2), 190, 115(2), 303(2), 109, 352, 351(3) of B.N.S.. The petitioners have no concern with the alleged occurrence. Petitioners have no criminal antecedents prior to this case. The co-accused persons have been granted anticipatory bail by this court vide A.B.P. No. 821/2026. It is, therefore, prayed by the learned counsel on behalf of the petitioners that anticipatory bail be granted to the petitioners.

Learned Public Prosecutor opposed the prayer for bail.

Heard the parties and also perused the case record and the case diary. From perusal of the same, it appears that there is general and omnibus allegation against the petitioners of assaulting and abusing the informant and his family members. However, it transpires from the case diary that there is land dispute between both the parties. On further perusal of injury report of injured, it also transpires that the injured person namely Vishwkarma Kumar sustained following injuries which is:

Lacerated wound $\frac{1}{2}$ " x $\frac{1}{4}$ " x $\frac{1}{2}$ " of parietal aspect of the head. C.T. Brain shows no bone or internal injury. The injury sustained by the injured is simple in nature, caused by a hard and blunt object. It is alleged to be caused by Sunil Ray by means of farsa contradictory to injury report (As per Para 46 of the case diary).

The injured person namely Sipahi Ray sustained following injuries which is:

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Lacerated wound @ parietal aspect of head $1\frac{1}{2}$ " x $1\frac{1}{8}$ " x $\frac{1}{2}$ ". Report from NMCH shows no internal injury. No bone injury, opined to be simple in nature caused by hard and blunt objects by means of iron rod caused by Anil Rai (as per Para 46 of the case diary).

The injured person namely Ajeet Kumar sustained following injuries which is:

Lacerated wound on the occipital head. No bone or internal injury.

The injury is simple in nature and caused by a hard and blunt object, by means of iron rod caused by Anil Rai (as per Para 46 of the case diary).

The injured person namely Sudama Kumar sustained following injuries which is:

Lacerated wound on the parietal aspect of the head is $1\frac{1}{2}$ "x $1\frac{1}{8}$ "x $\frac{1}{2}$ ".

The injury is simple in nature and caused by a hard and blunt object by means of iron rod caused by Anil Ray (As per Para 46 of the case diary).

Para 14 of the case diary shows that prohibitory proceeding u/s 126 of B.N.S.S., has been recommended on both the sides. It further appears that co-accused persons have already been granted anticipatory bail by this court vide A.B.P. No. 821/2026

Therefore, considering the aforesaid facts and circumstances of the case, the prayer for anticipatory bail of the above named petitioners is hereby, allowed and it is ordered that in the event of arrest or surrender, they will be enlarged on anticipatory bail, on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned court below, within four weeks of this order, subject to the conditions as laid down under section 482(2) of the Bhartiya Nagrik Suraksha Sanhita 2023.

(Dictated)

(Harshit Singh)

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