

**IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-VII
SARAN AT CHAPRA.**

BP No.- 2103/2025 (Sonepur P.S Case No- 943/ 2025)

Tarkeshwar Rai @ Truck.....petitioner

Vs.

StateO.P

O R D E R

24.11.2025 : This regular bail petition (BP No.-2103/2025) has been pressed on behalf of the accused petitioner Tarkeshwar Rai @ Truck arising out of Sonepur P.S Case No-943/2025 registered u/s- 126(2), 115(2), 109, 352, 351(2), 3(5), B.N.S. The accused petitioner is in judicial custody since 20.10.2025. A copy of this petition has duly been served to the Ld. PP.

The Ld. PP is present in the court.

The prosecution case in brief is that a formal FIR was registered on the basis of the typed application of the informant Satish Kumar Rai in the Sonepur P.S. According to the FIR, On 06.09.2025, 1. Deepak Kumar Rai alias Chhotu Rai, and 2. Neeraj Kumar Rai attempted to snatch the informant's bike, and when the informant resisted, they stabbed him and injured him. The informant received medical treatment and lodged a complaint at the police station, based on which Sonepur Police Station Case Number 937/25 was registered and is pending trial. The aforementioned persons were pressuring for a compromise, but the informant was not ready to compromise.

On 16.09.2025, at around 07:00 PM, when the informant and Mahesh Rai were returning from Sonepur on a bike, the following persons were waiting in ambush on the Chhotki Bandh road, near Semra Shamshan Ghat: 1. Deepak Kumar Rai alias Chhotu Kumar Rai, 2. Neeraj Kumar Rai, 3. Kameshwar Rai, and 4. Tarkeshwar Rai alias Truck. Deepak Kumar Rai and Neeraj Kumar Rai were holding a pistol in their hands and Kameshwar Rai and Dwarkeshwar Rai were holding rods in their hands, all of them attacked the petitioner with the intention to kill. Deepak Kumar and Neeraj Kumar continuously attacked the informant's head with the butt of the katta due to which his head got injured and he fell down. Then, Kameshwar Rai and Dwarkeshwar Rai both started hitting the informant continuously with rods. They suddenly attacked the informant and inflicted injuries. Upon Mahesh Rai's shouting and making a phone call, the informant's wife and son and some people gathered there, and the accused persons fled. The aforementioned persons wanted to harm the informant. After that, some people lifted the informant and took him to Referral Hospital Sonepur, from where he was referred to Hajipur Sadar Hospital.

The Ld. Counsel for the petitioner has submitted that the petitioner is innocent and he has not committed any offence, he has been falsely implicated in this case. Furthermore, the petitioner has one criminal case or criminal proceedings prior to registering the present case. The further submission is that the alleged allegations on petitioner are concocted, fabricated. The petitioner is in judicial custody since 20.10.2025. The petitioner is a law abiding citizen and he is ready to furnish the suitable bail bond and hence the prayer for bail.

The Ld. PP has opposed the prayer for bail.

Heard the submissions by both the parties and perused the case record. In this case, the formal FIR was registered u/s- 126(2), 115(2), 109, 352, 351(2), 3(5), B.N.S, on the basis of the typed application of the informant Satish Kumar Rai. The informant has supported the prosecution case in his re-statement in para 2 of the CD and other witnesses have also supported the incident in para 6, 7 and 8 of the CD. One criminal antecedent of the petitioner is mentioned in para 34 of the CD. In the injury report, the nature of the injury is simple and it was caused by hard and blunt substance. There is no specific allegation against the petitioner of causing injuries on the informant's head. The petitioner is in judicial custody since 20.10.2025.

So, after considering the material facts and circumstances of this case, the cardinal principle of the criminal jurisprudence that bail is a rule and jail is an exception, I am inclined towards enlarging the petitioner on bail. Accordingly, the regular bail petition filed on behalf of the petitioner is hereby allowed subject to the condition that he will furnish the bail bond of Rs. 10,000 with two sureties each of the like amount out of which one shall be the blood/close relative of the petitioner. The petitioner is directed to co-operate in the investigation and he will not indulge in any such activity further.

(Dictated)

I/C
DASJ-VII
Saran at Chapra

Copy of the order forwarded to CJM,
Saran at Chapra.

I/C
DASJ-VII
Saran at Chapra