

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9474 of 2024**

Arising Out of PS. Case No.-160 Year-2022 Thana- BAHERA District- Darbhanga

1. Ram Sagar Ray Son Of Hemkant Ray @ Hemraj Ray Resident Of Village And P.O. - Shivram, P.S. - Bahera, District - Darbhanga
2. Pankaj Kumar Ray @ Pankaj Ray Son Of Ram Sagar Rai Resident Of Village And P.O. - Shivram, P.S. - Bahera, District - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      17-02-2024                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to the petitioner no. 1 i.e. Ram Sagar Ray, who has already been arrested.

Permission is accorded.

Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 1.

3. The petitioner is apprehending his arrest in a case in connection with Bahera P.S. Case No. 160 of 2022 dated 28.04.2022 registered for the offences punishable u/ss 143, 341, 323, 308, 379 and 504 of the Indian Penal Code.



4. As per the prosecution case, the informant was sitting at the counter of filling centre/ petrol pump then one person came there and got two litres of petrol filled in a bottle. When the Nozal man asked for money, he refused to give money and started abusing and assaulting. The informant came out from the counter and tried to persuade both of them then he hit on the head of the informant with a rod and broke his head. The informant fell down and in the meantime, the said person called through phone to the petitioners and the co-accused persons then they holding lathi and rod came there and exhorted to loot the pump and break it. It is further alleged that the accused persons assaulted the pump owner's sons and injured them. During the scuffle, Chandan Ray (petitioner) and the co-accused, Ram Sagar Ray took Rs. 50,000/- and mobile phone from the pocket of the informant. It is further claimed by the informant that the reason behind the occurrence is stated to be non-payment of petrol.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner, Pankaj Kumar Ray rather the specific allegation of snatching is against the petitioner Ram Sagar Ray. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged



offence. The injury of Aakib Khan is stated to be grievous in nature whereas the injuries of Md. Anvar and Sharik Khan are simple in nature as stated in the impugned order. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner no. 2, Pankaj Kumar Ray @ Pankaj Ray, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Benipur (Darbhanga) in connection with Bahera P.S. Case No. 160 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioner no. 2, Pankaj Kumar Ray @ Pankaj Ray, is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at



liberty to move for cancellation of his  
bail bond.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

