

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11030 of 2024

Arising Out of PS. Case No.-362 Year-2020 Thana- BIDUPUR District- Vaishali

Jhimilal Ray @ Jhimi Ray @ Jhimilal Rai Son of Bainath Rai Resident of
Village- Bishunpur Saidali, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Sinha, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 307 and 34 of the IPC and Section 27 of the
Arms Act.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant with an
allegation that Rampravesh Ray, Sujeet Ray and Jhimilal Ram
fired over the informant which causing injury on his right
shoulder. It is next submitted that though there is allegation of
firing against the accused persons including the petitioner of
causing firearm injury to the informant, but then from the order
impugned it would manifest that the same does not records that



any firearm injury was caused to the informant. It is further submitted that petitioner has been falsely implicated in the present case when there is no firearm injury on record till date.

4. The learned APP opposes the anticipatory bail application and submits that there is specific allegation of firing and causing injury on right shoulder of the informant, as such it is not a fit case for grant of anticipatory bail.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali (Hajipur) in connection with Bidupur P.S. Case No.362 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. However, it is made clear that the learned trial court before accepting the bail bond of the petitioner would verify the injury report and, in the event if, it is found that the injured suffered firearm injury, in that event the present anticipatory bail order shall not be given effect and in the event



if it is found that there is no injury report on record or the informant did not suffer any firearm injury, in that event the bail bonds of the petitioner shall be accepted forthwith.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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