

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2018 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- BALIA BELON District- Katihar

1. Puchun Kumar Ray @ Puchun Ray S/o Late Ashok Ray Resident of village-Shekhpora, Police Station- Balia Belon, District- Katihar
2. Vikash Kumar Ray @ Vikash Ray S/o Doma Ray Resident of village-Shekhpora, Police Station- Balia Belon, District- Katihar
3. Jeevan @ Jiwan Ray S/o Kailash Ray Resident of village- Shekhpora, Police Station- Balia Belon, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Ajit Kumar Singh, learned counsel for
the petitioners and Mrs. Rita Verma, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Balia Belon P.S. Case No. 54 of 2024 dated 03.05.2024 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution story, the informant stated that on 29.04.2024 at about 4:00 P.M., the accused persons, including the petitioners, lashed with deadly weapons came at the door of her house and started abusing her. On opposing, the informant and her sister-in-law were assaulted by the accused



persons. The accused persons also snatched away the gold and silver jewellery of the informant and her sister-in-law.

4. The main submissions advanced by petitioners' counsel are that the FIR itself shows that there was a long standing dispute between both the parties when the alleged occurrence is said to have taken place and both the parties are neighbours, as per the allegation, the petitioner no.3, Jeevan @ Jiwan Ray, is alleged to have inflicted a *danda* blow at the head of one injured namely, Rita Devi but as per her injury report, a sharp cut injury was found on her skull, the nature of which does not corroborates with the means which was allegedly used by the petitioner no.3, Jeevan @ Jiwan Ray, in assaulting the said injured. It is further submitted that the petitioner no.2, Vikash Kumar Ray @ Vikash Ray, is alleged to have assaulted the informant's nephew by means of a *danda* and injury report of Kundan Ray, nephew of the informant, shows that he sustained simple injury and there is case and counter case in between both parties and petitioners' case was lodged prior to the registration of the FIR of the present matter. It is further submitted that there is no allegation of repeated blows by the petitioner nos.1 and 3 in assaulting the injured persons.

5. Learned APP for the State has opposed the prayer



for bail of the petitioners.

6. Considering the seriousness of the allegation appearing against the **petitioner nos. 1 and 3**, who are alleged to have assaulted the above-mentioned injured persons whose injuries have been opined to be grievous in nature and the case is under investigation, in my opinion, both the said petitioners do not deserve to the privilege of anticipatory bail, accordingly, their prayer stands rejected.

7. Considering the nature of allegation appearing against the petitioner no. 2, this Court is inclined to grant him the relief of anticipatory bail. Accordingly, let the **petitioner no.2** named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Court concerned in connection with Balia Belon P.S. Case No. 54 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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