

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11030 of 2025

Arising Out of PS. Case No.-691 Year-2024 Thana- ARA NAWADA District- Bhojpur

Suman Ray @ Rahul Ray, S/O Umesh Ray, R/O village- Belaur, P.S-
Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Ara Nawada P.S. Case No. 691 of 2024, registered for the offences under Sections 126 (2)/ 115 (2)/ 109/ 352/ 351 (2) 3 (5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioner and other co-accused persons threatened the informant with pistol and took him to a place where the informant was brutally assaulted by *lathi*, *danda* and butt of pistol.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. There is general and omnibus allegation against the petitioner as well as



other co-accused persons and no specific act has been attributed to the petitioner. On the facts of the case, it is apparent that there was no intention to cause death of the informant and for this reason, there would be no application of Section 109 BNS. Moreover, the injuries are simple in nature. The petitioner is in custody since 11.11.2024 and charge sheet has been submitted. The petitioner is having criminal antecedent of eight cases.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offender.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the simple nature of injuries and further considering the nature of allegation, submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Nawada P.S. Case No. 691 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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