

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11172 of 2025**

Arising Out of PS. Case No.-553 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Baban Prasad Ray @ Baban Ray @ Babban Ray S/O Late Ambika Ray R/O  
East telpa, P.s.- Town, Dist.- Saran ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      12-05-2025                      Heard the parties.

2. The petitioner is apprehending arrest in connection with Muffasil P.S. Case No. 553 of 2024 instituted under Sections 308(3), 308(5) B.N.S. and 27 of Arms Act lodged on 09.09.2024 by the informant, Satyendra Kumar.

3. As per the prosecution story, the Police during patrolling came to know that the employees of M/s. Saheb Construction is illegally taking money from the freight carriers by giving fake 'Challans' of the sand which led to the protest by the villagers, firing by Amitabh Kumar Ray followed by the FIR and the arrest of the said Amitabh Kumar Ray.

4. Learned counsel for the petitioner submits that the person who opened fire is Amitabh Kumar Ray, the man who is running the Saheb Construction is the son, Saheb Rai, he is an aged person having no criminal antecedent and on the fate day, he was at Amritsar with the entire family. The last submission is



that he do not have criminal antecedent.

5. APP opposes the prayer submitting that he is the father of the proprietor of the Saheb Construction namely Saheb Ray and the allegation is that they take illegal money from the freight careers.

6. Considering the submissions of the parties as also that the main allegation of taking money and opening of fire is against Amitabh Kumar Ray, the Saheb Construction is being run by son of Saheb Rai, this petitioner has no criminal antecedent and his father of the said Saheb Rai and the document show that he was at Amritsar on the said day, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Muffasil P.S. Case No. 553 of 2024 to the satisfaction of learned C.J.M., Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Ravi/-

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

