

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12651 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- WARISNAGAR District- Samastipur

1. Sanjay Kumar Ray @ Sanjay Kumar S/O Ravindra Ray R/O Village- Purnahi, Ward No.-08, P.S- Waris Nagar, Distt.- Samastipur, Bihar.
2. Ravindra Ray S/O Ramanand Ray @ Ramnandar Ray R/O Village- Purnahi, Ward No.-08, P.S- Waris Nagar, Distt.- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Anand, Adv.
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Pramod Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners and learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioners seek bail in connection with Waris Nagar P.S. Case No. 274 of 2024 instituted for the offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 303(2), 74, 324(2), 352, 351(3) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of assaulting the Informant and his family members by means of iron rod, Khanti etc. It is alleged that the petitioner no.1 Sanjay Rai has assaulted



the Informant by means of iron rod due to which he sustained severe injuries over his body whereas the allegation against the petitioner no.2 is of taking out Rs. 2,74,000/-.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. There is a case and counter case between the parties. In fact, the present case has been filed as a counter-blast to Waris Nagar P.S. Case No. 272 of 2024 lodged by the wife of the petitioner no.2 against the Informant, father of the Informant and other co-accused persons. There is a longstanding civil dispute between the parties for which Title Partition Suit No. 05 of 2016 is still pending adjudication. There is no eye-witness to the alleged occurrence. Charge-sheet has been submitted in this case. From the injury report, it appears that the injuries sustained by the injured persons including the Informant is simple in nature. The petitioner no.1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent and are languishing in judicial custody since 10.11.2024 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of



bail to the petitioners, stating that the offence alleged is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Waris Nagar P.S. Case No. 274 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioners.

(ii) The petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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