

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18389 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- MOHANPUR District- Samastipur

Manoj Ray @ Manoj Rai S/O Sitaram Ray @ Sitaram Rai Residents of
Village- Dumri, Police Station- Mohanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Mohanpur P.S. Case No. 147 of 2024 instituted for the offences under Sections 126(2), 115(2), 109, 329(3), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the petitioner is of firing upon the Kalim Khalifa due to which he sustained fire-arm injury upon his leg.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to previous enmity with the villagers and in connivance



with the local police. The petitioner has not committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R. but, no specific allegation has been levelled by the Informant against the petitioner. The petitioner has no concern with the alleged occurrence. Not a single independent witness has supported the accusation as an eye-witness of the case. He further submits that there is not an iota of evidence against the petitioner in the entire case diary of this case. The petitioner has two criminal antecedents and is languishing in judicial custody since 16.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is direct allegation of firing against the petitioner is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner under Sections Sections 126(2), 115(2), 109, 329(3), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 25(1-B)a/26/27/35. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.



6. 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 and the nature of injury, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mohanpur P.S. Case No. 147 of 2024, subject to the following conditions;

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

(ii) The petitioner 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, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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