

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17347 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- FATUA District- Patna

1. Siyaram Ray, S/O Jamadar Ray, R/O Village- Nathupur, P.S- Fatuha, Distt.- Patna.
2. Shailesh Ray, S/O Siyaram Ray, R/O Village- Nathupur, P.S- Fatuha, Distt.- Patna.
3. Mithlesh Ray @ Mithlesh Kumar, S/o Siyaram Ray, R/O Village- Nathupur, P.S- Fatuha, Distt.- Patna.
4. Sanjiv Kumar @ Sanjiv Ray, S/O Siyaram Ray, R/O Village- Nathupur, P.S- Fatuha, Distt.- Patna.
5. Rajiv Kumar, S/O Siyaram Ray, R/O Village- Nathupur, P.S- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Manoj Kumar Pandey, Advocate Ms. Kumari Pallavi, Advocate Mr. Rajesh Shankar Sinha, Advocate.
For the State	:	Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Fatuha PS. Case No. 5117026250038 dated 14.01.2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 352, 351(2) and 3(5) of B.N.S. Act.

3. As per allegation, the accused persons including the petitioners entered into the house of the informant and assaulted



him and his family members and outraged modesty of one female member of the family.

4. learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case on account of previous enmity and a counter blast to Fatuha P.S. Case No. 5117026250037 of 2025 dated 14.01.2025 registered for the offences under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the B.N.S. Act. He further submits that the injury allegedly caused by the petitioners are simple in nature and hence, Sections as mentioned under the B.N.S. Act are not made out.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have been made accused in another case.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case and previous enmity as well as nature of injury, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in



the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned court below, in connection with Fatuha P.S. Case No. 5117026250038 of 2025, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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