

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21003 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- JAGDISHPUR District- Bhojpur

1. Dinesh Ray Son of Late Uma Shanker Ray Resident of village - Palia, P.S. - Jagdishpur, District - Bhojpur.
2. Ramesh Ray Son of Late Uma Shanker Ray Resident of village - Palia, P.S. - Jagdishpur, District - Bhojpur.
3. Suresh Ray Son of Late Uma Shanker Ray Resident of village - Palia, P.S. - Jagdishpur, District - Bhojpur.
4. Radheshyam Ray @ Pramod Ray Son of Late Uma Shanker Ray Resident of village - Palia, P.S. - Jagdishpur, District - Bhojpur.
5. Sonu Ray @ Sudhir Ray Son of Suresh Ray Resident of village - Palia, P.S. - Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Jagdishpur P.S. Case No. 412 of 2024 lodged 28.11.2024, for the offences punishable under sections 126(2), 115(2), 109, 303(2), 324(1), 351, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms .

3. According to the prosecution, the F.I.R. was lodged against five named individuals and 4–5 unknown accused



persons. It is alleged that they arrived at the informant's residence, fired shots in the air, gave threats, and thereafter began demolishing the boundary wall.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The contents of the F.I.R. itself reveal that the dispute pertains to possession of land, which, as stated, stands in the name of the informant's father. Learned counsel further contends that the F.I.R. contains incorrect assertions. It is pointed out that the informant's side had earlier instituted a Title Suit before the learned Munsiff seeking injunction against the petitioners. However, the said Title Suit was dismissed on merits after contest. A copy of the decree has been annexed as Annexure-P/2. It is further submitted that, having lost in the civil suit, the informant has now filed a false criminal case against the petitioners. However, petitioner nos. 1 to 4 are accused in two more criminal cases, but they are on bail whereas petitioner no. 5 has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail and submits that the decree was passed in favour of the petitioners.

6. In the facts and circumstances, let the above named



petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned ACJM, 1st, Ara, Bhojpur, in connection with Jagdishpur P.S. Case No. 412 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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