

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24446 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- VAISHALI District- Vaishali

Subodh Ray @ Subodh Rai @ Subodh Pd. Yadav S/O Late Snehi Ray R/O
Vill.- Chakhabib Gopalpur, P.S.- Vaishali, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Tripathi, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Vaishali P.S. Case No. 321 of 2024 dated 14.08.2024
registered for the offence punishable under Sections 126(2),
115(2), 109, 303(2), 351(2), 352 and 3(5) of the Bharatiya
Nyaya Sanhita.

3. The prosecution case, in short, is that on the
date of occurrence when the informant and his family
members were sitting at the door, the petitioner along with
other accused persons came and started abusing the
informant. When the informant protested, the petitioner
assaulted on the head of informant's father by iron rod



causing head injury. It is further alleged that petitioner also assaulted the informant by iron rod on his head but he tried to stop from his hand causing fracture on his hand. Other accused persons assaulted his wife and daughter and snatched golden chain of his wife worth Rs. 1,20,000/-.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that both sides are agnates. The allegation against the petitioner is that he assaulted the father of the informant by means of iron rod on his head and he sustained grievous injury. There is no allegation of repeated assault against the petitioner, therefore, Section 109 of the B.N.S. is not applicable in this case. It is submitted that there is case and counter case between the parties and counter case has been lodged by the petitioner bearing Vaishali P.S. Case No. 322 of 2024 for the same occurrence. It is also submitted that F.I.R. has been lodged after four days of the occurrence without any plausible explanation for the delay. Lastly, it has been submitted that the petitioner is in custody since 07.02.2025, having no



criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 321 of 2024.

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

