

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30369 of 2025

Arising Out of PS. Case No.-588 Year-2020 Thana- SAKRA District- Muzaffarpur

Harendra Ray S/o- Late Surendra Rai R/o Village- Sirajabad, Ps- Sakra Dist-
Muzaffarpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 19-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Sakra
P.S. Case No. 588/2020, registered for the offence under Sections
341, 323, 307, 147, 148, 149, 504, 506 of the Indian Penal
Code. Subsequently, added Sections 302, 354, 447 and 406 of
the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 18.01.2025.

4. The allegation against the petitioner is to assault the
father of the informant alongwith other co-accused persons/family
members, causing head and bodily injuries. It is alleged that
assault was made with intention to cause death, where occurrence
alleged to be taken place in the background of land dispute.

5. Learned Counsel appearing on behalf of the petitioner



submitted that there is specific allegation against the petitioner to assault on the head of the father of the informant alongwith co-accused person, namely, Subodh Ray but upon perusal of *post-mortem* report, none of the injuries appears to be found upon head. In this context, learned counsel referred *post-mortem* report, where the first injury noted as “**abrasion**” was found upon the back of left chest 6 cm below to the scapular angle and the second injury was noted as “**laceration**” which was found over right side of the back of lower abdomen. It is submitted that in view of aforesaid, *prima facie* the allegation *qua* assault as alleged against petitioner not appearing convincing. It is submitted that occurrence took place in the background of the land dispute, where the parties are agnates. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of nature of injury, which falsified *prima facie* the manner of allegation *qua* physical assault as alleged to be caused upon head of the father of the informant, coupled with the fact



that investigation of this case is already completed, where petitioner remains in custody since 18.01.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Sakra P.S. Case No. 588/2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Court No. 1, Muzaffarpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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