

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30374 of 2025

Arising Out of PS. Case No.-510 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

1. Manish Ray S/O Raj Kumar Rai @ Raja Ray R/O Village- Rup Chhapra, Tola- Panchgachhiya, P.S- Sahebganj, Distt.- Muzaffarpur.
2. Lal Babu Ray S/O Ramdaresh Ray R/O Village- Rup Chhapra, Tola- Panchgachhiya, P.S- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-05-2025 Heard Mr. Sunil Kumar Pandey, learned counsel for the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sahebganj P.S. Case No. 510 of 2024 instituted for the offences under Sections 126(2), 115(2) 118(1), 109, 308(4), 352, 3(5) of the BNS and Section 27 of the Arms Act.

3. Prosecution case, in short, is that six accused persons demanded extortion from the informant during road construction and later on in the night, assaulted him with weapons and one of them also fired upon him.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The only specific allegation is against the petitioner no. 1 that he assaulted the informant with sword. Learned counsel further submitted that the injuries sustained by the informant are simple in nature. It has been submitted on behalf of the petitioners that the petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case as also the fact that there is specific allegation against the petitioner no. 1 of assaulting with sword, this Court is not inclined to grant bail to him. And so far as petitioner no. 2 is concerned, there is no specific allegation against him, therefore, this Court is inclined to grant bail to the petitioner no.2.

7. Accordingly, prayer for grant of bail to the petitioner no.1 is rejected.

8. Let the petitioner no. 2, above named, in the event



of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Sahebganj P.S. Case No. 510 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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