

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32651 of 2025**

Arising Out of PS. Case No.-91 Year-2025 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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Sumit Kumar Rai @ Sumit Kumar Ray @ Aditya Kumar Rai @ Aditya Kr.  
Rai @ Adity Kumar Ray, S/o Sanjay Kumar Ray @ Sanjay Kumar Rai, R/o  
vill - Dadpur Rahmatpur Chaknoor, P.S.- Muffassil, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate.  
For the State : Mr. Chandra Sen Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      03-09-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,  
in connection with Samastipur Mufassil P.S. Case No. 91 of  
2025 dated 24.02.2025 registered for the offences punishable  
under Sections 329(4), 109, 352 and 3(5) of B.N.S.  
corresponding to Sections 448, 307, 504/34 of the Indian Penal  
Code and Section 27 of the Arms Act.

3. As per allegation, the petitioner was a tenant of the  
informant and once, she came to know that the petitioner deals  
in illicit sale of liquor, she protested against it and consequently,  
the petitioner along with three unknown persons came to the  
house and shot at her hitting one person on the side of accused



itself.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that this case has been falsely lodged against the petitioner because he wanted to vacate the house and demanded the advance money paid to the informant which was not liked by her. Moreover, admittedly, the informant was not hit by any firing. He also submits that there was no firing at all. The person may have injury elsewhere.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioner has 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 bail petition that the petitioner has no criminal antecedent.

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

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Samastipur Mufassil P.S. Case No. 91 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

**(Jitendra Kumar, J)**

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