

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32103 of 2025

Arising Out of PS. Case No.-668 Year-2022 Thana- MAHUA District- Vaishali

Ramashankar Ray S/o Jageshwar Rai R/o Village-Bakarpur, Bilanpur, PS-
Mahuwa, District- Vaishali Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mahua P.S. Case No. 668 of 2022, registered for the offences punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly on the fateful day, all the accused persons, including the petitioner, demolished the wall constructed behind the house of the informant and demanded *rangdari*, apart from there is allegation of assault. It is specifically alleged that on the exhortation made by the petitioner, the other accused persons brutally assaulted the informant and others. Later on this petitioner also assaulted the informant by means of iron rod over the head of the informant.

4. Learned Advocate for the petitioner submitted that there is counter version of the present case being Mahua P.S. Case No. 670 of 2022 instituted against the informant and other



family members. In fact, on account of land dispute, both the parties have entered into a free fight resulting into injuries to the persons of both the sides. However, on account of the fact the petitioner being head of the family, his name has been implicated in this case with specific allegation. It is further contended that similarly situated co-accused persons having identical allegation have been allowed the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No. 61780 of 2024 vide order dated 17.10.2024. The petitioner bears fair antecedent and undertakes that he would not indulge in such activity in future.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the impugned order clearly suggests that the injury sustained upon the informant has been found to be grievous in nature, moreover, it is the petitioner, who has not only assaulted but on his exhortation, others have also assaulted the informant and his family members.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the fact that there is allegation against two of the persons of causing assault over the head of the informant and one of those



namely Raunak Kumar @ Jitendra Ray has been granted privilege of anticipatory bail, the case of the petitioner based on parity, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 668 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions:

(i) that one of the bailors shall be the own/close family members of the petitioner and,

(ii) that if the petitioner shall be found indulge in tampering with the evidence or intimidating the witnesses/informant, the informant shall be at liberty to file an application for cancellation of the bail of the petitioner.

(Harish Kumar, J)

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