

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33781 of 2025

Arising Out of PS. Case No.-890 Year-2024 Thana- MANER District- Patna

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Ramkumar Ray S/o Late Shivji Rai R/o Village- Brahmchari, Police Station-
Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Shekhar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 191(2), 190, 109, 115 (2),
117(2), 76, 303(2), 324(4), 329(3), 352 and 351 (2) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the first information
report has been registered against 22 accused persons including
the female family members of the family. The allegation is that
all the accused persons came variously armed and barged into
the house of the informant and destroyed the house hold articles
of the informant. It is further alleged that on the instructions of
Munindra Rai, Krishna Rai, Devendra Rai and Ram Kumar Rai
(petitioner) assaulted on the head of the informant



indiscriminately with the butt of the pistol due to which he sustained head injury. It is further alleged that when the informant's father tried to intervene in the matter and to save him he was also assaulted by other co-accused persons.

4. It is submitted by learned counsel for the petitioner that perusal of the first information report would show that the entire family has been made accused in the case and it would also appear that the incident has originated out of land dispute with regard to drainage. It is further submitted that a case has also been filed on behalf of the petitioner with regard to the same incident of 20.12.2024 on 21.12.2024, making the informant and others accused in the said case, whereas the present case has been lodged by the informant after inordinate delay on 25.12.2024 and the fardbeyan of the said case was recorded on 21.12.2024. It would, thus, appear that the case of the petitioner's side was earlier in point of time. It is further submitted that there is general and omnibus allegation on three persons of indiscriminate assault by means of butt of the pistol. However, the injury report, as against the allegation of indiscriminate assault by the butt of the pistol, shows one injury to be grievous in nature as indicated in the bail rejection order. However, it is submitted that the charge-sheet has been



submitted in the present case under different section of B.N.S. but not under the Arms Act and there is no recovery of any pistol from any of the accused persons. The petitioner has been languishing in custody since 27.01.2025.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case as well as the fact that there is *inter se* land dispute and the charge-sheet has already been submitted in the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Maner P.S. Case No.890 of 2024.

(Soni Shrivastava, J)

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