

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34121 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SARAI District- Vaishali

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Gaurav Kumar S/o Surendra Ray R/o Village- Matiyara Toke, P.S.- Sarai,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with G.R.
No. 581/2025 arising out of Sarai P.S. Case No. 13/2025
registered for the offences under Sections 103(1), 351(1) and
3(5) of Bhartiya Nyaya Sanhita.

3. As per the prosecution case, the informant namely
Pramila Devi stated that co-accused namely Surendra Ray and
his two sons namely Krishna Deo Kumar and Gaurav Kumar
(petitioner) came on a motorcycle and started abusing the
husband of the informant. It is further submitted that the
accused namely Surendra Ray and the petitioner hit the husband
of the informant with the butt of pistol and subsequently, the co-
accused Surendra Ray took out a knife and stabbed the husband



of the informant on the abdomen causing grievous injury and during the course of treatment, the husband of the informant died.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that there is no specific allegation of overt act against the petitioner and rather the specific allegation of assaulting the husband of the informant was on Surendra Ray by knife. Learned counsel further submits that though there are three criminal cases against him, but they are under Excise Act and the petitioner is in custody since 25.01.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and has stated that the petitioner along with his father namely Surendra Ray have assaulted the husband of the deceased.

6. Considering the aforesaid facts and circumstances of the case and taking into account that there is no specific allegation of overt act against the petitioner, let the petitioner above-named 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 Addl. Chief



Judicial Magistrate-X, Vaishali at Hajipur in connection with
G.R. No. 581/2025 arising out of Sarai P.S. Case No. 13/2025
subject to the conditions :-

- a. One of the bailors of the petitioner shall be his
close relative.
- b. The petitioner shall remain physically present
in Court on each date of the trial.
- c. In case of absence on two consecutive dates or
in violation of the terms of the bail, the bail
bond of the petitioner will be liable to the
cancelled by the court concerned.
- d. The Court below shall verify the criminal
antecedent of the petitioner and in case at any
stage it is found that the petitioner has
concealed his criminal antecedent, the court
below shall take step for cancellation of bail
bond of the petitioner. However, the
acceptance of bail bonds in terms of the afore-
mentioned order shall not be delayed for
purpose of or in the name of verification.

(Sourendra Pandey, J)

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