

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35460 of 2025

Arising Out of PS. Case No.-76 Year-2024 Thana- GHORASAHAN District- East
Champaran

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1. Brijmohan Ray @ Brijmohan Kumar @ Brijmohan Rai S/o- Ramnath Rai
Village- Jhanjhara Ps- Jitna Dist- East Champaran
 2. Dhruplal Ray @ Dhuplal Ray @ Dhruplal Rai S/o- Nathuni Rai Village-
Jhanjhara Ps- Jitna Dist- East Champaran
 3. Shatrughan Ray @ Shatrughn Kumar @ Shatrughan Rai S/o- Nathuni Rai
Village- Jhanjhara Ps- Jitna Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate.

For the Opposite Party/s : Mrs. Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

3 10-07-2025 Heard learned Counsel for the petitioners and

learned A.P.P for the State.

2. The petitioners seek regular bail in a case registered
for the offences punishable under Sections 147, 323, 324, 308,
379, 504, 506 and 354(B) of I.P.C.

3. The learned counsel for the petitioners inform to
this Court that during the pendency of this application, the
petitioner no. 03 namely Shatrughan Ray has died on
16.05.2025.

4. As per the prosecution case, the named accused
persons including the petitioners are alleged to have assaulted
the informant and other family members. It is further alleged
that the petitioner no. 01 Brijmohan Ray had assaulted the
informant's husband namely Ram Vinay Kumar, by means of



Kulhadi, causing head injury while petitioner no. 02 Dhruplal Ray assaulted Vinay Kumar by means of *Gandashi*, causing injury on his neck.

5. Learned counsel for the petitioners have submitted that the petitioners are innocent and the allegations levelled against them are false and concocted. He also submits that even if these allegations are taken note of, there are no repeated blows by the petitioners and it is alleged that the petitioner no. 01 had caused head injury upon the injured Ram Vinay Kumar while petitioner no. 02 had caused injury on his neck. Learned counsel next submits that the incident occurred at the spur of the moment and there was no intention on behalf of petitioners and others to cause any major harm or injury with the informant and others. It has lastly been submitted that the petitioners have no criminal antecedent and are in custody since 20.02.2025.

6. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail and has stated that the petitioners are named accused and there is no specific allegation upon the petitioners to have assaulted the injured Ram Vinay Kumar by means of *Gandashi*, causing grievous injuries as would be apparent from the injury report, brought on record by way of *Annexure-4/2*. The learned counsel



for the informant further submits that if the petitioners are released on bail, it would create conditions that may cause further injury to the informant and the informant's family and put them into fear for their lives.

7. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioners have clean antecedent and there are no repeated blows, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sikharahana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 76 of 2024, subject to the following conditions:-

- (i) One of the bailors will be close relative of the petitioner.*
- (ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*
- (iii) 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 be canceled by the Court concerned.*
- (iv) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall*



not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

Sudhanshu/-

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