

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34290 of 2025

Arising Out of PS. Case No.-471 Year-2024 Thana- SURSAND District- Sitamarhi

Umashankar Ray (male), aged about- 39 years, son of Shivdhari Ray, resident of Village-Parari Tola, Ward No. 7, P.S.-Sursand, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
Ms. Divya Bharti, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 11-09-2025 Heard Mr. Pushpendra Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Ram Anurag Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sursand P.S. Case No. 471 of 2024, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 324, 326, 452 and 380 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other accused persons, with an intention to kill, had assaulted the informant and his brother causing injury.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that



false implication of the petitioner reveals from the fact that alleged incidence took place on 22.11.2023 and the complaint was registered on 05.01.2024. There is case and counter case between the parties. Injury sustained by the brother of the informant has been opined by the doctor to be simple in nature. Due to dispute relating to passage, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury on the persons of the informant and his brother without intention. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties. Injury sustained by the brother of the informant has been opined by the doctor to be simple in nature. Due to dispute relating to passage, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury on the persons of the informant and his brother without intention. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*,



made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Sursand P.S. Case No. 471 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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