

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40831 of 2025

Arising Out of PS. Case No.-253 Year-2022 Thana- TEGHRHA District- Begusarai

Shivdat Ray, Son of Raj Kishore Ray, R/o Banhara, P.S.- Teghra, District – Begusarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

For the Informant : Mr. Ansul, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-08-2025 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and Mr. Ansul, learned senior counsel appearing on behalf of the informant.

2. The petitioner seeks bail in connection with S.T. No. 202 of 2025 arising out of Teghra P.S. Case No. 253/22, registered for the offence under Section 396 of the Indian Penal Code and Section 27 of the Arms Act. Later on police submitted charge-sheet under Sections 302, 120(B)/34 of the Indian penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 30.01.2025.

4. It is alleged that petitioner alongwith other co-accused persons committed dacoity in the house of the informant, where during course of dacoity the son of the informant received



fatal bullet injury. Petitioner alleged to assault the informant using butt of pistol, causing fracture in the hand of the informant.

5. Learned Counsel appearing on behalf of the petitioner submitted that after investigation police submitted charge-sheet under Section 302 of the Indian Penal Code. It is pointed out that due to local disputes and differences and as to aggravate the allegation, the occurrence was given colour of dacoity and murder. It is submitted that allegation against this petitioner is limited as to assault on the hand of the informant by using butt of pistol causing its fracture, negating *prima facie* intention to cause death as having all occasions and deadly firearm weapon in hand, no firing was made. It is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Heard learned APP.

7. Mr. Ansul, learned senior counsel appearing on behalf of the informant while opposing the prayer of bail submitted that petitioner involved actively during the occurrence and same can be gathered easily from the face of FIR.

8. Considering the aforesaid factual submissions and by taking note of nature of accusation, which *prima facie* negate the intention to cause death coupled with fact that the investigation of



this case is already completed, where petitioner remains in custody since 30.01.2025, accordingly, petitioner above named, is directed to be released on bail in connection with S.T. No. 202 of 2025 arising out of Teghra P.S. Case No. 253/22, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Begusarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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