

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41023 of 2025

Arising Out of PS. Case No.-545 Year-2024 Thana- MASHRAK District- Saran

Bhuneshwar Ray Son of Late Chhathu Ray Resident of Village - Masrakh
Gopalbari, P.S.- Masrakh, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mashrak P.S. Case No. 545 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 74, 118(1), 109(1), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3 The prosecution case, in short, is that, the petitioner along with other co-accused persons attacked the wife of the informant with bad intentions, tore her clothes and assaulted her. When the informant and his brother tried to intervene, they were stabbed and beaten. It is further alleged that the petitioner stabbed knife on the father of the informant due to which he



sustained injuries. The accused persons later assaulted his family member.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that both the parties have sustained injuries. There is case and counter case between the parties. It is further submitted that allegation levelled against the petitioner is of stabbing at the father of the informant which is denied by the petitioner. The petitioner has got no criminal antecedent. Other co-accused has been granted bail by this Court vide order dated 20-03-2025, passed in Cr. Misc. No. 87257 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is contended that there is direct allegation of giving knife blow upon the father of the informant against the petitioner, hence, he does not deserve the privilege of anticipatory bail.

6. Considering the rival submissions made by the learned counsel for the parties, there being direct allegation against the petitioner of stabbing the father of the informant,



hence, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is, accordingly, *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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