

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43443 of 2025

Arising Out of PS. Case No.-148 Year-2021 Thana- MUSRIGHRARI District- Samastipur

Baldev Ray S/O Late Devnandan Ray @ Late Devanandan Ray R/O Rupauli,
Tole Banghara P.S. Musarigharari, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Musarigharari P.S. Case No. 148 of 2021 dated 29.10.2021, registered for the offence punishable under Sections 455, 195, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the alleged date of occurrence the petitioner alongwith the F.I.R named accused and unknown accused persons came to the house of the informant armed with *lathi*, *danda* and deadly weapons and threatened the informant including her family members to withdraw the case against them and not to give evidence before the Court in the murder case, otherwise, they will face the dire consequence. It is also alleged that the petitioner threatened the informant on the point of pistol.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the petitioner is not named accused in Musarigharari P.S. Case No. 84 of 2020. It is also submitted that the petitioner has no concern with the accused of Musarigharari P.S. Case No. 84 of 2020. It is further submitted that the petitioner has been made accused only on the basis that his son was made accused in Musarigharari P.S. Case No. 84 of 2020. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Musarigharari P.S. Case No. 148 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class-cum-Additional Munsif, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till disposal of Musarigharari P.S. Case No. 84 of 2020.

(Khatim Reza, J)

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