

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47658 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Abhdhesh Kumar Ray @ Awdhesh Ray @ Avadhesh Kumar Ray S/o Hareram
Ray R/o Village- Manaraytol, P.S.- Bibhutipur @ Vibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Bibhutipur P.S Case No. 38 of 2025 registered for the offences
punishable under Sections 329(3), 126(2), 115(2), 76, 109,
303(2), 352, 351(2), 3(5) of the BNS, 2023.

3. As per allegation in the FIR, petitioner along with
other accused person had assaulted and informant and his
pregnant daughter and tried to outrage her modesty.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner and the informant are full brothers and
due to some land dispute scuffling took place. Moreover, FIR



has been lodged after 20 days and for this there is no cogent explanation. He further submits that as per the injury report all the injuries sustained are simple in nature. Charge-sheet has already been submitted. It is also submitted that petitioner is in judicial custody since 10.02.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 02.05.2025, it appears that due to petty land dispute, scuffling took place. On perusal of the injury report, it appears that all the injury sustained are simple in nature and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Magistrate, Rosera or Successor Court Rosera, Samastipur in connection with Bibhutipur @ Vibhutipur P.S. Case No. 38 of 2025.

(Ramesh Chand Malviya, J)

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