

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47167 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- NEORA District- Patna

Ajay Kumar S/o Madan Mohan Ray @ Madan Mohan Roy R/o Village-
Tikaitpur, P.S.- Neora, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 47525 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- NEORA District- Patna

Madan Mohan Ray @ Madan Mohan Roy S/o- Jagarnath Prasad Village-
Tikaitpur PS- Neora Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47167 of 2025)

For the Petitioner/s : Mr.Gyan Shankar, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 47525 of 2025)

For the Petitioner/s : Mr.Gyan Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-07-2025 Since both the cases mentioned above are arising out

of the same police station case, hence, the same are taken up



together.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners who apprehend arrest in connection with Neora P.S. Case No. 68 of 2025 lodged on 25.04.2025, for the offences punishable under sections 126(2), 115(2), 109, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution case, the F.I.R. has been lodged against the petitioners, alleging that they, along with two unknown persons, came to the place of occurrence and started abusing the informant. When the informant protested, they assaulted him on the head with an iron rod.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that the petitioner in Criminal Miscellaneous No. 47167 of 2025 is the son of the petitioner in Criminal Miscellaneous No. 47525 of 2025. The present case has been lodged at the instance of Sanjay Kumar, who is the full brother of petitioner Ajay Kumar and the son of petitioner Madan Mohan Ray. A land dispute is ongoing between the parties, and the grandmother of petitioner Ajay Kumar had executed a partition-cum-distribution *Punchnama* of her share of the



ancestral land between her grandsons, Sanjay Kumar and Ajay Kumar, as co-sharers. A copy of the said document has been annexed as Annexure P/2. The present case has been filed merely as a counterblast to the said partition and in view of the existing litigation between the parties, with the sole intention to exert pressure upon the petitioners. It is further submitted that petitioner Ajay Kumar is accused in two other criminal cases, whereas petitioner Madan Mohan Ray has no criminal antecedents.

6. Learned APP for the State opposes the prayer for bail and submits that upon a minute perusal of the records, it appears that the present case has been lodged by the staff member of the brother of petitioner Ajay Kumar, indicating that the dispute is deeply rooted in existing family and property disputes.

7. In the facts and circumstances of the case, let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the ACJM, Danapur, Patna, in connection with



Neora P.S. Case No. 68 of 2025, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

(Dr. Anshuman, J)

Ashwini/-

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