

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.48197 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Dhobaha District- Bhojpur

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1. Shiv Ranjan Ray Son of Jay Kumar Ray Resident of village - Ward No.- 06, Sundarpur Barja, P.O.- Sundarpur Barja, P.S.- Bihiya, District - Bhojpur, Bihar.
 2. Subham Ray Son of Santosh Ray Resident of village and P.O.- Sundarpur Barja, P.S.- Bihiya, District - Bhojpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, when informant had gone to bank of a river to catch fish, all the FIR named accused persons including 7 to 8 unknown accused persons came there and snatched fish and on protest by informant, co-accused Rahul Rai fired bullets upon him causing him gun shot injury.

4. It is submitted on behalf of the petitioners that petitioners are not named in the FIR since they have not been



identified by the informant on the spot. Name of petitioners have come in this case during course of investigation on the basis of confessional statement of co-accused. Besides this, as per FIR, allegation of firing is against co-accused Rahul Rai. Learned counsel further submits that save and except confessional statement, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate or successor court in Dhobaha Police Station Case No. 26 of 2025, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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