

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56399 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- HALAI District- Samastipur

Rakesh Kumar Ray @ Rakesh Kumar, aged about 28 years, Male, Son of Lalit Ray, Resident of Village- Larua, Ward No. 7, P.S.- Halai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S. R. P. Sinha, Sr. Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP
for the Informant	:	Mr. Mahendra Pratap, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Halai P.S. Case No. 141 of 2024 instituted for the offences punishable under Sections 115(2), 126(2), 191(2), 191(3), 190, 109, 303(2) and 3(5) of the BNS.

3. As per the prosecution case, the allegation against the petitioner is that he assaulted to Manoranjan Kumar on the head with iron rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics. He submits that the occurrence took place on 04.12.2024 and the FIR has been instituted on 07.12.2024 after a delay of about



three days without any proper explanation. He further submits that the petitioner and the informant are agnates and there is land dispute attributed between the parties. He next submits that there is case and counter case attributed between the parties. He lastly submits that the injury report does not support the case of the prosecution and the informant falsely implicate all the family members including this petitioner in this case only to harass them. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 30.06.2025.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submits that he does not deserve bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-II, Samastipur dated 22.07.2025 it appears that on the basis of written report of the informant Pappu Kumar, FIR has been registered under Sections 115(2), 126(2), 191(2), 191(3), 190, 109, 303(2) and 3(5) of the BNS against 14 accused persons including the present petitioner and the allegation is that he assaulted by iron rod. From perusal of the supplementary injury report as produced by learned counsel for the petitioner, it appears that only one injury has been found on the head of Manoranjan Kumar and no repeated



blow has been found on his body. There is case and counter case attributed between the parties and all the family members are agnates, so considering all these aspects of the case and submissions of learned counsel for the parties, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned A.C.J.M.-1st, Samastipur in connection with Halai P.S. Case No. 141 of 2024.

(Ramesh Chand Malviya, J)

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