

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58488 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- GAURICHAK District- Patna

1. Hare Krishna @ Hari Kishan @ Hare Krishna Ray S/o Late Baleshwar Ray R/o vill - Jamalpur, P.S - Gaurichak, District - Patna
2. Chhotu Ray S/o Ram Kumar Ray R/o vill - Jamalpur, P.S - Gaurichak, District - Patna
3. Rajeev Kumar S/o Hare Krishn @ Har Kishan Ray R/o vill - Jamalpur, P.S - Gaurichak, District - Patna
4. Ravi Kumar S/o Pappu Ray R/o vill - Jamalpur, P.S - Gaurichak, District - Patna
5. Mukesh Ray S/o Raj Kumar Ray R/o vill - Jamalpur, P.S - Gaurichak, District - Patna
6. Uday Ray S/o Pappu Ray R/o vill - Jamalpur, P.S - Gaurichak, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Gaurichak P.S. Case No. 146 of 2025 registered for the offences under Sections 32994), 76, 125, 303(2), 126920, 115(2), 3(5) of the B.N.S.

3. As per the prosecution case, the informant has given a written information stating therein that altogether nine



accused persons including the petitioners entered the house of informant and started assaulting by sword. It has further been alleged that all the accused persons were variously armed and they jointly abused and assaulted everyone.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the instant case. Further submission is that from FIR, it will be evident that there is no specific allegation levelled against the petitioners barring accused Hare Krishna Ray. It has been submitted that the injuries sustained by the informant-side was found to be simple in nature and there was a counter case lodged in the said occurrence. Learned counsel further submits that during the course of investigation, it has come that there is land dispute between the parties and there is title suit and probate case pending between them. It is lastly submitted that petitioners were not accused in any other case prior to the present case, however, subsequently, another case being Gaurichak P.S. Case No. 152/2025 was lodged by the informant-side against the petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case



and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Gaurichak P.S. Case No. 146 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal



antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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