

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59727 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- HALAI District- Samastipur

Pappu Ray S/o Upendra Ray R/o village- Chaklalshahi, P.S.- Halai, Dist.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kumar Praveen, Advocate
For the State	:	Ms. Sangeeta Sharma, APP
For the Informant	:	Mr. Shashank Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2025 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 352 and 3(5) of the B.N.S..

3. As per prosecution case, on 03.05.2025 at about 6 PM, when the informant was returning home and reached near Baajitpur, in the meantime, all the F.I.R. named accused persons, including this petitioner, abused and assaulted him by means of sword, iron rod and knife as a result of which he sustained grievous injuries and was taken to Paras Hospital, Patna and after treatment, he got released on 24.05.2025 and



lodged the present F.I.R. on 02.06.2025.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The present F.I.R. has been lodged after inordinate delay of one month which itself makes the entire prosecution case doubtful. From bare perusal of the F.I.R. it is apparent that allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with other accused persons, brutally assaulted the informant as a result of which he sustained grievous injuries and had to remain in hospital for 20 days and therefore, the present F.I.R. has been lodged after delay of one month.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.



7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Shahpur Patori, Samastipur in connection with Halai P.S. Case No. 97 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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