

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62423 of 2025

Arising out of PS. Case No.-242 Year-2025 Thana- DARIYAPUR District- Saran

- 1. Manju Devi W/o Nageshwar Ray Resident of Vill.- Itwa English, P.S.- Dariyapur, Dist.- Saran
- 2. Nagesheshwar Ray S/oLate Dewnaray Ray Resident of Vill.- Itwa English, P.S.- Dariyapur, Dist.- Saran
- 3. Shiv Parson Ray S/o Late Dev Nandar Ray Resident of Vill.- Itwa English, P.S.- Dariyapur, Dist.- Saran
- 4. Jitendra Ray S/o Nageshwar Ray Resident of Vill.- Itwa English, P.S.- Dariyapur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64156 of 2025

Arising Out of PS. Case No.-242 Year-2025 Thana- DARIYAPUR District- Saran

- 1. Mukesh Ray S/o Sipahi Ray R/o Village- Itwa Enligh, P.S.- Dariyapur, District- Saran
- 2. Shyambabu Ray S/o Junrabi RAY R/o Village- Itwa Enligh, P.S.- Dariyapur, District- Saran
- 3. Vijay Ray S/o Late Ramprabesh Ray R/o Village- Itwa Enligh, P.S.- Dariyapur, District- Saran
- 4. Awadhesh Ray S/o Shaikee Ray R/o Village- Itwa Enligh, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62423 of 2025)

For the Petitioner/s : Mr. Rajiv Kumar Ram, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 64156 of 2025)

For the Petitioner/s : Mr. Rajiv Kumar Ram, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY



ORAL ORDER

4 18-12-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Dariyapur P.S Case No. 242 of 2025 registered under sections 126(2), 115(2), 118(1), 109, 303(2), 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 lodged on 06.05.2025 by the informant, Mithun Kumar.

3. As per the prosecution story, the informant, Mithun Kumar alleged that while the family members were sitting and discussing about religious function, the accused persons came with armed variously and dismantled the pandal of function and there is specific allegation against petitioner No. 3, Vijay Ray (of Cr. Misc. No. 64156 of 2025) that he gave sword blow on the head causing injury to the informant. Further, on raising alarm, his father, sister, grandmother and aunt came to rescue but the other accused persons resorted to assault by weapons like lathi, danda and farsa and also there is allegation of snatching of gold chain and pressing the neck of Nikki Kumari by Manju Devi. Thereafter, they were shifted to Primary Health Centre, Dariyapur and then referred to PMCH, Patna. This led to the FIR.

4. Learned counsel for the petitioners submits that there is delay in lodging of the FIR, there is case and counter-



case, admittedly there is land dispute in which all the family members have been implicated. The petitioners do not have criminal antecedent.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the specific allegation of assault is against petitioner no. 3, Vija Ray (of Cr. Misc. No. 64156 of 2025) causing injury on the head of informant and there is omnibus nature of allegation against all of them.

7. Considering the submissions of the parties and the specific allegation of assault is against petitioner No. 3, Vijay Ray of Cr. Misc. No. 64156 of 2025, his prayer for anticipatory bail stands rejected.

8. So far as petitioners of Cr. Misc. No. 62423 of 2025 namely Manju Devi, Nageshwar Ray, Shiv Parson Ray and Jitendra Ray (Petitioner Nos. 1 to 4) and petitioners of Cr. Misc. No. 64156 of 2025 namely Mukesh Ray (Petitioner No. 1), Shyambabu Ray (Petitioner No. 2) and Awadhesh Ray (Petitioner No. 4) respectively are concerned, there is omnibus and simple nature of injuries and some of them are ladies, in that background, this Court is inclined to grant anticipatory bail to these petitioners.



8. Let the petitioners of Cr. Misc. No. 62423 of 2025 namely Manju Devi, Nageshwar Ray, Shiv Parson Ray and Jitendra Ray and petitioners of Cr. Misc. No. 64156 of 2025 namely Mukesh Ray (Petitioner No. 1), Shyambabu Ray (Petitioner No. 2) and Awadhesh Ray (Petitioner No. 4) respectively, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate 1st Class, Class, Saran at Chapra (or his successor) in connection with Dariyapur P.S Case No. 242 of 2025 to the following conditions:-

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*.

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds.

(iv) the petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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