

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67908 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- BARHARA District- Bhojpur

1. Muna Ray @ Muna Kumar Yadav @ Munna Yadav @ Munna Kumar Yadav son of Shankar Ray @ Shekhar Yadav Resident of Village- Lala Ke Tola, Ps- Barhara, Dist- Bhojpur
2. Gautam Ray @ Gautam Kumar Ray @ Gautam Yadav Son of Shankar Ray @ Shekhar Yadav Resident of Village- Lala Ke Tola, Ps- Barhara, Dist- Bhojpur
3. Vinod Yadav @ Vinod Ray @ Vinod Kumar Ray Son of Shankar Ray @ Shekhar Yadav Resident of Village- Lala Ke Tola, Ps- Barhara, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Adv.
Mr. Prabhat Kumar Singh, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 28-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners, at the outset, submits that petitioner no. 2 (Gautam Ray @ Gautam Kumar Ray @ Gautam Yadav) and petitioner no. 3 (Vinod Yadav @ Vinod Ray @ Vinod Kumar Ray) were arrested, thus, seeks permission to withdraw the same.
3. Permission is accorded.
4. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(3) and 3(5) of the BNS,



2023.

5. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and the informant alleges that accused persons including the petitioner intercepted him and Shekhar assaulted him by sickle causing injury on hand while Munna assaulted Vikash by rod causing injury on head, thereafter Gautam assaulted Rajnish by *katta* causing injury on head, further Raj Kishore took out Rs. 21,630/- from the pocket of the informant.

6. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is alleged to have assaulted Vikash by rod causing injury on head. It is next submitted that the blow was not repeated. It is also submitted that the opinion with regard to the injury till date is reserved.

7. Learned A.P.P. for the State opposes the anticipatory bail application and submits that allegation against this petitioner is of assaulting Vikash on head by rod which is vital part of the body. It is next submitted that since opinion with regard to injury has been reserved that amply demonstrates that



the injury is not simple.

8. Considering the submissions made by the learned counsels for the parties, the petitioner no. 1 above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barhara P.S. Case No. 291 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. It is made clear that thereafter the learned Trial Court shall call for the injury report of Vikash and if it is found that Vikash suffered grievous injury on head, in that event the provisional anticipatory bail order shall not be confirmed, but if it is found that Vikash suffered simple injury on head, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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