

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66640 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- HALAI District- Samastipur

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Ram Dayal Rai @ Ram Dayal Ray Son of Jit Narayan Ray @ Jit Narayan Rai
Resident of Village - Maricha, P.S.- Tajpur, District - Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard the learned Advocate appearing on behalf of

the petitioner and the learned Additional Public Prosecutor for

the State.

2. The petitioner apprehends his arrest in connection
with Halai P.S. Case No. 36 of 2025, registered for the offences
punishable under Sections 115(2), 303(2), 109, 76 and 3(5) of
the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the co-accused Sangita
Devi was overheard as saying to the informant's son-in-law to
divorce informant's daughter and solemnize second marriage,
and when the informant objected, the petitioner along with co-
accused Sangita Devi started abusing and assaulting. It is
specifically alleged that this petitioner assaulted the informant
with a brick, due to which she sustained head injury. When the



son and daughter of the informant came to her rescue, the accused persons also assaulted them and this petitioner outrage the modesty of the informant's daughter.

4. Learned advocate for the petitioner submitted that the FIR is based on the complaint petition, which came to be instituted on 20.12.2024, with regard to an occurrence, which took place on 08.12.2024. Moreover, the injury which is allegedly sustained to the daughter of the informant and others, they have been found to be simple in nature. To support the aforesaid contention, averment has been made in paragraph no. 11 of the application. The petitioner is brother-in-law of the complainant/informant and only in order to put pressure and wreck vengeance, the present FIR has been instituted. Moreover, the petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Having considered the submissions set-forth by learned Advocate for the respective parties and taking note of the delay in instituting the complaint, leading to the FIR, coupled with the simple nature of injury and the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period



of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Samastipur in connection with Halai P.S. Case No. 36 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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