

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66564 of 2025

Arising Out of PS. Case No.-139 Year-2023 Thana- SUGAULI District- East Champaran

Virendra Ray @ Virendra Yadav, S/O Uma Ray @ Umashankar Rai, R/O
Village- Chhapra Bahas, P.S- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar Srivastava, S/O Late Dhruv Prasad Srivastava, R/O Village-
Chhapra Bahas, P.S- Sugauli, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate Mr. Chetna, Advocate Ms. Shambhavi Priya, Advocate
For the State	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 19-11-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Sugauli P.S. Case No. 139 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 435/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. While the informant was engaged in constructing the boundary wall on his land, in the meanwhile, the petitioner along with other co-accused and 10 unknown persons came there and brutally assaulted him. It is specifically alleged that this petitioner assaulted the informant by means of spade, due to which he sustained injury over his shoulder. There is further



allegation against the other accused persons of making indiscriminate firing.

4. Learned Advocate for the petitioner referring to the F.I.R. contended that admittedly the genesis of the occurrence is a land dispute, resulting into case and counter case, bearing Sugauli P.S. Case No. 140 of 2023, instituted by the father of the petitioner against the informant and others. So far the allegation against the petitioner of causing spade blow is concerned, the same is found over a non-vital part of the body, though the injury report suggest that injury no.1 is simple in nature. So far the injury no.2 is concerned, till date the report has not been submitted. It is lastly contended that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner brutally assaulted the informant and moreover the final report of one of the injury has yet to come.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the injury report as well as fair antecedent of the petitioner and the genesis



of the occurrence, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Sugauli P.S. Case No. 139 of 2023, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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