

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66956 of 2025

Arising Out of PS. Case No.-331 Year-2022 Thana- BARHARA KOTHI District- Purnia

Lakshman Ray @ Lakshman Roy @ Laxman Ray Son of Late Upendra Rai,
Resident of Village - Navtoliya Mahikhanda, Ward No.- 3, Sirsiya, Police
Station - Barhara Kothi, District - Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Barhara (Raghubansh Nagar) O.P. P.S. Case No. 331 of 2022, dated 25.07.2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354B, 427, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 24.07.2022 at about 02:00 PM, while the informant was travelling in auto, in the meantime, the FIR named accused persons, armed with iron-rod, knife and fire-arm, assaulted the informant's husband due to which he sustained head injury. The accused persons also assaulted the informant and outraged her



modesty and they also looted Rs. 10,000/- from the pocket of informant's husband.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and he has falsely been implicated in the present case. From perusal of FIR it appears that there is no specific allegation of any assault or overt act attributed against this petitioner, rather the allegation levelled against him is general and omnibus in nature. The specific allegation of assault is attributed against the co-accused Nandan Roy. Counsel for the petitioner further submits that petitioner carries two criminal antecedents which are lodged by the informant's family itself and the petitioner is said to be on bail in both the cases. It is further submitted that there is admitted land dispute between the parties and a piece of land which is captured by the informant's side is the bone of contention between the parties.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that there is no specific allegation of any assault or overt act attributed against this petitioner and also considering the fact that there is an ongoing land dispute between the parties, let the petitioner, above-



named, be released on anticipatory bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with **Barhara (Raghubansh Nagar) O.P. P.S. Case No. 331 of 2022**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S., as well as on the following conditions:

(i) one of the bailors should be the family member / relative of the petitioner(s), who shall provide official document to show his / her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the learned trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his / her / their bail bond by the learned trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;



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

(Ajit Kumar, J)

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