

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68448 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- CHIRAIYA District- East Champaran

Pathalu Ray S/O Murat Rai R/O Village- Sapgadha Tola, Akauna, P.S-
Chiraiya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 126 (2), 115 (2), 118 (1), 117 (2), 109, 303 (2), 352 and 3 (5) of the B.N.S.

3. The allegation in the first information is that as many as 17 persons including the present petitioner came variously armed and assaulted the informant and his brother causing injuries to them.

4. It is submitted by learned counsel for the petitioner that it would be evident from the first information report itself that there are general and omnibus allegations against the petitioner, whereas the specific allegation of assault



has been made upon co-accused, Rajeshwar Ray and Jay Prakash Rai of having assaulted the brother of the informant. It is further submitted that the petitioner has been falsely implicated in this case on account of land dispute which stands admitted in the first information report.

5. Learned APP for the State opposed the prayer for bail on the ground that petitioner has three criminal antecedents. However, it is submitted on behalf of the petitioner that he is on bail in all the cases.

6. Taking into consideration the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner and the specific allegation is against other co-accused, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chiraiya P.S. Case No. of 141 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to further condition that:



(i) One of the bailors would be family member of the petitioner.

(ii) The petitioner would make himself available before the Investigating Officer of the case as and when required.

(iii) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay preferably within a period of two weeks.

(Soni Shrivastava, J)

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