

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3133 of 2025**

Arising Out of PS. Case No.-107 Year-2021 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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Ram Briksh Rai @ Ram Biric Ray S/O Ram Sanjeevan Rai, Resident of  
Village- Jitwarpur Nijamat, P.S.- Samastipur Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Raja Ram Mishra, Advocate |
| For the State        | : | Mr. Upendra Kumar, APP        |

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      14-02-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Samastipur Muffasil P.S. Case No. 107 of 2021 dated 01.03.2021, registered for the offence punishable under Sections 341, 323, 307, 504 and 379/34 of the Indian Penal Code.

3. As per allegation, the petitioner has assaulted the informant on his head by iron rod besides co-accused assaulting the informant with butt of the pistol.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that alleged injury is simple in nature



and Section 307 of IPC is not made out. He further submits that similarly situated co-accused namely, Abhishek Kumar, who is alleged to have assaulted the informant by butt of the pistol, has already been granted anticipatory bail by this Court vide order dated 18.01.2025 passed in Cr. Misc. 68324 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in two other cases.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Samastipur, in connection with Samastipur Muffasil P.S. Case No. 107 of 2021, subject to the conditions as



laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any additional criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

**(Jitendra Kumar, J.)**

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