

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80449 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- WARISNAGAR District- Samastipur

Rajesh Ray @ Rajesh Kumar Ray S/o Nand Kishor Ray R/o Village -
Purnahi, P.s- Warisnagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anurag Rishu, Advocate Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Nand Kumar, APP
For the Informant	:	Mr. Shubhesh Pandey, Advocate Mr. Amit Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Warisnagar P.S. Case No. 149 of 2025 registered for the alleged offences under Sections 126(2), 127(2), 115(2), 191(2), 191(3), 190, 109, 352, 351(2), 303(2) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, the allegation against the petitioner is of opening fire on the informant and he was accompanied by other co-accused persons. The petitioner asked the informant to withdraw Warisnagar P.S. Case No. 274 of 2024 and he also demanded extortion of Rs. 2,000/- per month.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner and other co-accused persons. Though there is allegation of opening fire against this petitioner, but this allegation is false and concocted and no one has received any injury. The parties are agnates having civil dispute between them and a partition suit bearing Case No. 05 of 2016 has been pending between the parties before the court of learned Sub Judge-III, Samastipur. There is case and counter case and the counter version is Warsinagar P.S. Case No. 272 of 2024, which has been lodged against the informant and others. Co-accused, Ravindra Ray, has also lodged Warisnagar P.S. Case No. 150 of 2025 against the informant. No person received injury and the injury report shows injuries to be simple in nature. The petitioner is having antecedent of one case. The petitioner is in custody since 25.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



fact that there is no allegation of causing injury to any person and the allegation of opening fire is completely vague and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Samastipur/court concerned in connection with Warisnagar P.S. Case No. 149 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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