

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88086 of 2024

Arising Out of PS. Case No.-286 Year-2024 Thana- BIBHUTIPUR District- Samastipur

1. Uday Kumar Ray @ Ram Uday Ray S/o Ram Briksh Ray Resident of vill- Samartha, P.S- Bibhutipur, Distt.- Samastipur
2. Raju Kumar Ray @ Raju Kumar S/o Ram Briksh Ray Resident of vill- Samartha, P.S- Bibhutipur, Distt.- Samastipur
3. Ram Briksh Ray S/o Late Gulam Ray Resident of vill- Samartha, P.S- Bibhutipur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Raj Ballabh Singh, A.P.P.
	Ms. Prakritita Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-01-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. Learned counsel for the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 1 Uday Kumar Ray @ Ram Uday Ray.
3. Permission is accorded.
4. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 1 is dismissed as withdrawn.
5. The petitioner nos. 2 and 3 apprehend their arrest in a case registered for the offences punishable under Sections



329(3), 329(4), 126(2), 127(2), 109, 115(2), 118(1), 117(2), 74, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and Raju Kumar Ray @ Raju Kumar (petitioner no. 2) is alleged to have torn the clothes of the informant and assaulted Mauji Rai by khanti on head causing injury while Ram Briksh Ray (petitioner no. 3) is alleged to have assaulted Kusheshwar Rai by lathi causing injury on his chest.

7. Learned counsel for the petitioners submits that though there is specific allegation of assaulting Mauji Rai and Kusheshwar Rai by the petitioners but then the injury suffered by them is not grievous or the same would have been recorded in the order impugned as it has been recorded with respect to Chandan Kumar who was assaulted on head by Uday Kumar Ray by an iron rod causing grievous injury.

8. Learned A.P.P. and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners. Learned counsel appearing on behalf of the informant submits that the injury report of Mauji Rai and Kusheshwar Rai is not on record.



9. Considering the submissions made by the learned counsel for the petitioner nos. 2 and 3, let petitioner nos. 2 and 3 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Bibhutipur P.S. Case No. 286 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

10. However, the learned trial court before accepting the bail bonds of the petitioner nos. 2 and 3 shall verify the injury report of Mauji Rai and Kusheshwar Rai and if it is found that they have received grievous injury in that event, the present anticipatory bail order shall not be given effect to in favour of the petitioner nos. 2 and 3 who had caused grievous injury to the injured.

(Satyavrat Verma, J)

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