

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85655 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- BHAGWANPUR District- Begusarai

Gautam Ray @ Gautam Kumar Ray@ Gautam Roy S/o Vinod Ray @ Vinod
Kumar Ray R/o Village - Narharipur, P.S - Bhagwanpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Anuj Kumar, Advocate
For the Opposite Party/s :		Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-12-2025 Heard learned senior counsel appearing on behalf of
the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 17 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 117(2), 109(1), 352 and 351(3) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, in the background of land dispute, the petitioner and other co-accused persons assaulted the family members of the informant, causing a number of injuries to them.

04. Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in



this case. Learned senior counsel further submits that there is case and counter case and father of this petitioner has lodged Bhagwanpur P.S. Case No. 18 2025 for the occurrence of same day in which a number of persons of the petitioner's side have received injuries. The allegation against this petitioner is of giving blow of iron rod on the body of the brother of the informant and indiscriminately assaulting him but there is previous allegation against co-accused Vinod Rai that he gave a *farsa* blow on the head of the brother of the informant and his injuries on the head were found to be grievous. Learned senior counsel further submits that there was no intention to cause death of any person. There was no premeditation or deliberate assault but a free fight irrupted in which both sides received injuries. The petitioner and the informant side are agnates and co-sharer and dispute arose over the possession of ancestral land. The petitioner is in custody since 06.10.2025 and is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against this petitioner that he gave indiscriminate blows on the body of the brother of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and background of dispute and also



considering the case and counter case of the parties and further considering the period of custody of the petitioner, 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 I/c Chief Judicial Magistrate, Begusarai/court concerned in connection with Bhagwanpur P.S. Case No. 17 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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