

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6510 of 2026

Arising Out of PS. Case No.-9 Year-2025 Thana- ANDHRATHARHI District- Madhubani

Shiv Kumar Ray, aged about 35 years, Male, Son of Late Ramchandra Ray,
Resident of village-Marukiya,P.S-Andharathadi, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-04-2026 Heard Mrs. Kumari Pallavi, learned counsel
appearing on behalf of the petitioner and Mr. Binod Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Andhrathari P.S. Case No. 09 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 118(1), 76, 110, 303(2), 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioner along with other co-accused persons, had assaulted the informant and his wife, causing injury on the head of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. Both the parties, who are



next door neighbour, were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the persons of the informant, without intention. The incidence had occurred on 28.12.2024 and the FIR was lodged on 15.01.2024 after delay of about 18 days and there is no reasonable explanation to it. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR. The incidence had allegedly occurred on 28.12.2024 and the FIR was lodged on 15.01.2024, which leads room to conclude that the informant was under treatment and after having recovered, he had lodged the present FIR. In absence of injury report and opinion of the doctor, the learned District Court is directed to verify the injury report relating to the informant side and if it is found that the injuries, which are attributable to the petitioner, are simple in nature, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or



surrender before the learned District Court 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 District Court where the case is pending, in connection with Andhrathari P.S. Case No. 09 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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