

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9985 of 2026**

Arising Out of PS. Case No.-312 Year-2025 Thana- BIBHUTIPUR District- Samastipur

RADHESHYAM RAY S/O LATE KAUSHAL RAY @ KUSHAL RAY  
RESIDENT OF VILLAGE- KALYANPUR DAKSHIN TOLA VISHANPUR,  
P.S.- BIBHUTIPUR, DIST.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      25-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bibhutipur P.S. Case no.312 of 2025 registered under sections 329(3), 329(4), 126(2), 127(2), 115(2), 118(1), 109, 74, 76, 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that the eleven named accused persons including the petitioner herein came variously armed. In furtherance of their conspiracy, it is stated that the petitioner misbehaved with the ladies and also assaulted her husband with an iron rod causing serious injuries. All the accused persons actively participated in the occurrence.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. The correct version having been described in the counter case filed from the petitioner's side and a copy of the FIR of which has been brought on record as Annexure P/2 to the petition. The allegation of molestation etc. is categorically denied. Further referring to the allegation of assault on the husband of the informant, it is submitted that the injury report which has been reproduced in the order of the learned trial Court does not support the prosecution case and the nature of injury has been opined to be simple. The petitioner is in custody since 31.8.2025 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made on behalf of the petitioner and specially the contents of the injury report of the husband of the informant reproduced in the order of the learned trial Court together with the petitioner having remained in custody for over 5 months since 31.8.2025 and chargesheet having been submitted in the



case, the Court directs the petitioner to be enlarged on bail in connection with Bibhutipur P.S. Case no.312 of 2025 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 Sub Divisional Judicial Magistrate, Rosera, Samastipur.

**(Partha Sarthy, J)**

Saurabh/-

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