

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8413 of 2026**

Arising Out of PS. Case No.-238 Year-2025 Thana- WARISNAGAR District- Samastipur

1. Gouri Shankar Rai @ Gauri Ray @ Gauri Shankar Yadav S/O Late Triveni Ray R/O Village- Chandauli, P.S- Warisnagar, Dist.- Samastipur.
2. Jay Narayan Ray S/O Jogendra Ray R/O Village- Chandauli, P.S- Warisnagar, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, A.P.P

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      01-04-2026                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with Warisnagar P.S. Case No. 238 of 2025 lodged on 08.09.2025, for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against eight named accused persons including the present petitioners and 20-25 unknown persons. It has been alleged by the informant that on 07.09.2025 at about 10 p.m, all the accused persons came and entered in her house and assaulted her



husband brutally due to which injury has been caused.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioner's side and the informant's side are agnates and land dispute is going on between them. Counsel further submits that for the same date and place of occurrence, there are case and counter case from both the sides and injuries have been caused to both the sides. Counsel further submits that the petitioners have one criminal antecedent each in which, they are on bail. He further submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that for the same date and place of occurrence, there are case and counter case from both the sides. He further submits that on previous occasion, case diary as well as injury report has been called for. From the injury report, it transpires that the injuries are simple in nature.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing



bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of J.M. 1<sup>st</sup> Class, Samastipur, in connection with Warisnagar P.S. Case No. 238 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

**(Dr. Anshuman, J)**

Divyansh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

