

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18569 of 2026

Arising Out of PS. Case No.-428 Year-2024 Thana- MOTIPUR District- Muzaffarpur

Mukesh Ray S/O Late Murli Ray R/O Village- Purani Bazaar, P.O and P.S-
Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Motipur P.S. Case No. 428 / 2024 dated 15.12.2024 registered
under Sections 115(2), 191(2), 191(3), 109, 352 of the B.N.S.

3. As per the prosecution case on 03.12.2024 at about 7:30
A.M. in the morning the informant along with his son and
nephew were working in the field, in the meanwhile, the
petitioner and other accused persons having weapons in their
hands arrived there and started assaulting the informant and his
family members. It has further been alleged that petitioner along
with Tuntun Ray assaulted the informant with weapons in their
hands on the head, thigh and hand.

4. Learned counsel for the petitioner submits that petitioner
has falsely been implicated in this case as a counter blast to the



case lodged by side of the petitioner against the informant and others bearing Motipur P.S. Case No. 410 / 2024 dated 03.12.2024 alleging therein that brother of the petitioner was shot at by the informant. The F.I.R. lodged by the petitioner's side is prior in time to the present F.I.R. The present F.I.R. has been lodged on 15.12.2024 whereas the occurrence has taken place on 03.12.2024 and *fardbyan* was allegedly recorded by the police on 06.12.2024. Referring to the injury report, learned counsel submits that Annexure-3 is the injury report of the brother of petitioner, who has received gun shot injury near the left shoulder and the nature of the injury is grievous whereas the injury report of the informant appears to be fabricated inasmuch as according to the F.I.R. occurrence has taken place on 03.12.2024 at about 7:30 A.M. whereas the date of assault in the injury report of the informant is 04.12.2024 and time of assault is 7:00 A.M.

5. Regard being had to the submission made by the parties, taking into consideration the fact that there is unexplained delay in lodging the F.I.R., injury report of the informant suggests that assault was made on 04.12.2024 whereas in the F.I.R. the date of occurrence is 03.12.2024 and the F.I.R. lodged by side of petitioner against the informant is prior in time , accordingly, I



am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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 Ms. Jyoti Kumari, Court No. 08 Judicial Magistrate Ist Class West Muzaffarpur in connection with Motipur P.S. Case No. 428 / 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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