

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31075 of 2026

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

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Tuntun Ray @ Tuntun Kumar S/o Late Murli Ray R/o Village - Purani
Bazaar, P.O. and P.S. - Motipur, Dist. - Muzaffarpur. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his arrest

in connection with Motipur P.S. Case No. 428/2024

registered for the offences punishable under Sections

115(2), 191(2), 191(3), 109, 352 of Bhartiya Nayay

Sanhita.

3. As per FIR, petitioner alleged to assault

informant on 03.12.2024 at about 7:30 AM, where during

the occurrence the informant, his son and nephew received

head and bodily injuries. Informant alleged to receive

grievous injuries.

4. It is submitted by learned counsel appearing on

behalf of the petitioner that prior to this occurrence, the



brother of the petitioner was caused gunshot injury by the informant and his family members and just to countering the aforesaid case, immediately after the occurrence which took place on the same very day i.e. on 03.12.2024, the informant his son and nephew admitted in a Private Hospital of Muzaffarpur and obtained the forged injury report. It is submitted that as per injury report, date of assault was reported as 04.12.2024, though the occurrence took place in the early morning of 03.12.2024. Aforesaid forgery also found apparent in the injury report of son and nephew of the informant. It is submitted that considering the aforesaid aspects, one of the learned co-ordinate Bench granted anticipatory bail to one of the similarly situated co-accused, namely, Mukesh Ray through Cr. Misc. No. 18569 of 2026 dated 08.04.2026.

5. While explaining criminal antecedent, it is pointed out that the petitioner found involved in six more criminal cases, but all are of different and trivial in nature related with excise, where he is on bail.

6. Learned APP opposed the prayer of bail.



7. In view of aforesaid factual submissions and by taking note of fact as the injury report *prima facie* creates a doubt *qua* allegation as raised through FIR, coupled with the fact that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court, as mentioned aforesaid, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Court No. 08, West Muzaffarpur/concerned Court, where the case is pending in connection with Motipur P.S. Case No. 428/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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