

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32050 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- SHAHPUR PATORI District- Samastipur

Shankar Ray S/o Daroga Ray R/o- Tara Dhamuan, P.S - Shahpur Patori,
Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Shahpur Patori P.S. Case No. 45 of 2026 lodged on 17.02.2026, for the offence punishable under Sections 126(2), 115(2), 117(2), 109(1), 303(2), 324(4), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of A.C.J.M., Samastipur.

3. As per the prosecution, FIR has been lodged against 7 named accused persons including the present petitioner and 40-50 unknown persons with allegation that initially on 15.02.2026 at night, they have assaulted the informant's wife and nephew due to which, they sustained injury. On the very



next day, again accused persons came and damaged the household articles of the informant and take away jewellery and cash. Upon oppose, the petitioner has assaulted the informant by iron rod causing injury on his head due to which, he fell down and subsequently, referred to hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that there is a land dispute between the parties and the petitioner has been falsely implicated in this case due to enmity. He submits that both parties are neighbours and there is also a counter case lodged by the petitioner's side bearing Shahpur Patori P.S. Case No. 46 of 2026 against the informant's side.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that as per the FIR, there is specific allegation against the petitioner to assault the informant by iron rod on his head, due to which injury has been caused.

6. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

7. However, if petitioner surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his



surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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