

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39749 of 2026**

Arising Out of PS. Case No.-164 Year-2025 Thana- MOHIUDDIN NAGAR District-  
Samastipur

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Sudhir Ray @ Sudhir Kumar @ Sudhir Kumar Rai Son of Kameshwar Ray  
Resident of Gram- Bishanpur Beri, Bishunpur Beri, P.O.- Bishanpur Beri,  
Vishanpur Beri Matior, P.S.- Mohiuddin Nagar, Dist.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner : Mr. Keshav Bhardwaj, Advocate  
For the State : Ms. Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      29-06-2026                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109(1), 329(3), 329(4), 352, 351(2), 351(3) and 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, all the F.I.R. named accused persons, including this petitioner, demanded extortion of Rs. 50,000/- from the informant and threatened of dire consequences if the payment is not made. Thereafter, on 22.07.2025, all the accused persons came to the house of informant, abused him, fired shots and damaged his tractor. It is



further alleged that on 23.07.2025, all the accused persons, including this petitioner, armed with deadly weapons, assaulted informant and snatched his gold chain and cash of Rs. 80,000/-.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As per prosecution case, the alleged occurrence took place on 22.07.2025 and 23.07.2025, whereas, the present F.I.R. has been lodged after inordinate delay of 11 days on 04.08.2025 and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. It is further submitted that the present F.I.R. is counter-blast of Mohiuddin Nagar P.S. Case No. 154 of 2025 which was lodged by this petitioner against informant and others and in retaliation, this false and concocted case has been lodged. Moreover, allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. It is lastly submitted that similarly situated co-accused person, namely Baleshwar Rai, has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 07.05.2026 passed in *Cr. Misc. No. 29567 of 2026*. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, case and counter-case between the parties, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Shahpur Patory, Samastipur in connection with Mohiuddinnagar P.S. Case No. 164 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

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