

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44544 of 2026

Arising Out of PS. Case No.-292 Year-2020 Thana- KESARIA District- East Champaran

Dinesh Ray @ Dinesh Rai Son of Late Rudal Ray Resident of Village -
Bijdhari Kanhi, P.S. - Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-07-2026 1. Heard learned counsel, Mr. Hemant Rai for the petitioner and learned A.P.P., Mr. Rabindra Kumar for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354(A)(B), 379, 504 and 506 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 14.07.2020, the accused persons including the petitioner were making illicit liquor on her land, on objection, accused persons left, further on 15.07.2020, the accused persons came and petitioner assaulted her husband by *farsa* on neck causing injury and also assaulted the informant by butt of *farsa*, even tried to outrage her modesty, further Anita assaulted her



brother-in-law by *dab* causing injury on head while other accused attempted to kill Rampreet Rai.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is further submitted that from perusal of the FIR, it would manifest that the date of occurrence is 15.07.2020 and the FIR came to be instituted on 20.07.2020 i.e. after a delay of five days which casts an aspersion on the case of prosecution. Learned counsel for the petitioner next submits that had the husband of the informant been injured in the manner as alleged in the FIR on account of assault made by petitioner in that event, the FIR would have been instituted immediately or the *fardbayan* of the informant or her husband would have been recorded at the hospital, but then from perusal of the FIR, it would manifest that the same is instituted based on a written complaint of the informant which casts an aspersion on the case of the prosecution in backdrop of a dispute relating to manufacture of the liquor. It is fairly submitted that injury suffered by the injured has been opined to be grievous, but then delay in instituting the FIR, casts an aspersion on the case of the prosecution when petitioner is a person with clean antecedent. It is also submitted that if privilege of anticipatory bail is granted,



the petitioner will not abscond rather will cooperate in the investigation to prove his innocent.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the FIR has been instituted after a delay of five days based on written application of the informant.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kesariya P.S. Case No. 292 of 2020 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigation Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event the learned Trial Court shall be at



liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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