

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52790 of 2026

Arising Out of PS. Case No.-147 Year-2026 Thana- GANGABRIDGE District- Vaishali

1. Guddu Kumar son of Dayanand Ray @ Daya Ry Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
2. Bambahadur Ray son of Late Saryug Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
3. Lalbabu Ray Son of Late Saryug Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
4. Police Ray Son of Late Saryug Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
5. Sipahi Ray Son of Late Saryug Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
6. Sitaram Kumar Son of Lalbabu Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
7. Radheshyam Kumar Son of Lalbabu Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
8. Rahul Kumar son of Sipahi Ray Resident Of Village - Diwantok, Ps- Gangabridge, Dist- Vaishali
9. Raushan Kumar Son of Uma Shankar Ray Resident Of Village - Litiyahi, Ps- Raghobpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Gangabridge P.S. Case No.147 of 2026 for allegedly having committed offences under Sections 126(2), 115(2), 109,



303(2), 352, 351(2) and 3(5) of the B.N.S.

3. As per the First Information Report, which has been lodged on the basis of the written report submitted by the informant, to the effect that his shop is situated at Dharmpur Chowk under Bidupur police station. The petitioner no.8 had borrowed goods worth Rs.5000/- around five months back and on several demand he was not returning the said amount. On 26.05.2025 at around 09:00 p.m. when he came out from his house, he saw that all the accused persons, including the petitioners herein were abusing his brother namely Suraj Kumar, who was present at his door. It has been alleged that the petitioner no.8 and petitioner no.7 brutally assaulted his brother with *Fattha* and Rahul Kumar (petitioner no.8) assaulted on the head of his brother with the butt of the pistol, due to which he sustained head injury and his hand was also fractured. When the informant went to save his brother, Suraj Kumar, the petitioners no.4, 5 and 6 started assaulting him. The petitioner no.4 assaulted on the head of the informant with an iron rod, due to which he sustained injuries on his head and his left hand also got fractured. He also sustained injuries on his left leg. The petitioner no.9 and the petitioner no.1 assaulted him with a knife and the petitioner no.8 snatched one locket to the tune of



Rs.15,000/- from the neck of the informant and also snatched gold chain worth Rs.1,00,000/- from the neck of the brother of the informant. They were brought to Sadar Hospital for treatment.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that there was a free fight in between the parties for which case and counter case was lodged. The son of the petitioner no.2 lodged Gangabridge P.S. Case No.146 of 2026 against the informant and others and the present case is a counter blast of Gangabridge P.S. Case No.146 of 2026. He further submits that so far the allegation of assault on the informant and his brother is concerned, the specific allegation of assault on the brother of the informant has been levelled against the petitioner no.8 and the petitioner no.7, however the injuries have been found on shoulder, skull and fracture of hand. So far the allegation of assault with iron rod on the informant is concerned, the same has been levelled against the petitioners no.4, 5 and 6 and so far the assault on the informant with knife is concerned, the same has been levelled against the petitioners no.1 and 9. The learned counsel for the petitioners by referring to the impugned order passed by the



learned Sessions Judge, Vaishali in A.B.P. No.1901/2026 would submits that so far the injuries sustained by the brother of the informant is concerned, the same has been found to be simple in nature by the treating doctor and so far the injuries sustained by the informant is concerned, injuries no.1 to 4 have been found to be simple in nature. So far the injury no.5 is concerned, the same is on head, however since injured/informant did not choose to get the C.T. Scan done, the injury was found to be simple in nature by the doctor and as per the X-ray report, the injury no.6 has been found to be normal and simple in nature. He submits that the petitioners no.1 to 3 and 6 to 9 have got a clean antecedent and so far the petitioners no.4 and 5 are concerned, they are accused in one another case bearing Gangabridge P.S. Case No.49 of 2020.

5. *Per contra*, the learned A.P.P. appearing on behalf of the State opposes the prayer for grant of anticipatory bail to the petitioners and submits that all the petitioners brutally assaulted the informant and his brother, due to which they sustained multiple injuries. He also submits that the informant sustained six injuries, which suggests that he was repeatedly and brutally assaulted by the petitioners.

6. Having considered the rival submissions and after



going through the records, it appears that specific allegation of assault on the brother of the informant has been levelled against the petitioners no.7 and 8 and so far the injury sustained by the brother of the informant, which has been recorded in the impugned order passed by the learned Sessions Judge, Vaishali is concerned, the same has been found to be simple in nature. So far the allegation of assault upon the informant is concerned, the same has been attributed to the petitioners no.1, 4, 5, 6 and 9. The injuries, which have been recorded in the said order, would suggest that injuries no.1 to 4 were found to be simple in nature by the treating doctor and so far the injury no.5 is concerned, the informant did not go for C.T. Scan, therefore, the doctor found the injury to be simple in nature and so far the injury no.6 i.e. lacerated wound on left hand is concerned, after X-ray report, the same was found to be simple in nature by the doctor.

7. Taking into consideration the facts aforesaid and the fact that there was a free fight in between the parties, for which case and counter case was lodged and the petitioners side has also lodged Gangabridge P.S. Case No.146 of 2026 and in retaliation the present case has been lodged, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds



of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Vaishali at Hajipur in connection with Gangabridge P.S. Case No.147 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take steps for cancellation of their bail bonds. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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