IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74685 of 2026

CNR No. BRHC011049832026

Arising Out of PS. Case No.-191 Year-2026 Thana- SHAHPUR PATORI District- Samastipur

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1. Bhani Ray @ Bhani Prasad Ray @ Bhani Prasad Yadav S/o Late Ram Ekbal Ray R/o Village - Chakarman, Shahpur Patory, Dist. - Samastipur.
2. Ram Ratan Ray @ Ram Ratan Kumar S/o Late Shambhu Prasad Ray R/o Village - Chakarman, Shahpur Patory, Dist. - Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 74688 of 2026

CNR No. BRHC011049832026

Arising Out of PS. Case No.-191 Year-2026 Thana- SHAHPUR PATORI District- Samastipur

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1. Nagendra Ray S/o Late Dhamo Ray @ Late Ghamo Ray R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
2. Pintu Kumar S/o Nagendra Ray R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
3. Ashish Kumar @ Ashish Ranjan Kumar S/o Bhani Prasad Ray R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
4. Brajesh Kumar @ Brijesh S/o Bhani Prasad Ray R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
5. Manish Kumar @ Gaurav Kumar S/o Bhani Prasad Roy R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
6. Chhotu Kumar S/o Bhani Prasad Ray R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
7. Laxman Kumar @ Ram Laxman Kumar S/o Shambhu Ray @ Shambhu Prasad Rai R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.
8. Vinod Kumar @ Vinay Kumar @ Vino Ray S/o Nagendra Rai R/o Village - Chakarman, P.S. - Shahpur Patory, Dist. - Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 74685 of 2026)
For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP
(In CRIMINAL MISCELLANEOUS No. 74688 of 2026)
For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP
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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 28-10-2026 Heard Mr. Ashok Kumar Mishra, learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

2. Since both the matters have arisen in connection with Shahpur Patori P.S. Case No. 191 of 2026, with the consent of the parties, they are being heard together and disposed off by this common order.

3. The petitioners apprehend their arrest in connection with Shahpur Patori P.S. Case No. 191 of 2026, registered for the offenses punishable under Sections 126(2), 115(2), 117(2), 110, 303(2), 352, 351(2), 3(5) of the B.N.S.

4. Allegedly, on the given date and time of occurrence, while the informant was cutting a bamboo standing over his land, in the meanwhile, all the petitioners armed with various weapons came there, abused and severely assaulted the informant and others due to which they sustained serious injuries.

5. Learned Advocate for the petitioners, referring to the FIR, primarily contended that surprisingly the alleged

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occurrence took place in the forenoon of 11.06.2026, but the present FIR came to be instituted on 16.06.2026 after a delay of 5 days and as such false implication and exaggeration of the accusation cannot be ruled out in view of the previous animosity between the parties. It is submitted that both the parties are agnates and two partition suits are pending between them bearing Partition Suit No. 22 of 2022 and Partition Suit No. 62 of 2025. It is also contended that in fact eight cases are going on between the parties. Besides the two partition suits, there are also three criminal cases lodged by the petitioner against the informant and three criminal cases lodged by the informant side. The injuries which are allegedly sustained to the informant and others are concerned, all of them have been reported to be simple in nature. To support the aforesaid contention, the injury reports have been placed on record as Annexure P/4 series.

6. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioners have not only actively participated in the crime, but brutally assaulted the informant and other family members, due to which they sustained serious injuries.

7. Regard being had to the submissions made on behalf of the parties and considering the genesis of the

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occurrence, as well as the factum of pendency of cases against the members of each other's parties, besides the factum of case and counter case, as also the simple nature of injuries and the inordinate delay in lodging of the FIR, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Shahpur Patori, Samastipur in connection with Shahpur Patori P.S. Case No. 191 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Siddharth Kr.
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