

In the Court of Addl. Sessions Judge, Manjhaul (Begusarai)
A.B.A No-589/2026
Chhaurahi P.S. Case No- 22/2026

In the matter of :

1. Om Prakash Ray, s/o- Late Singheshwar Ray
 2. Somnath Ray, s/o- Late Vinod Kumar Ray
 3. Manish Ray, s/o- Parmanand Ray
 4. Rishu Kumar, s/o- Lal Babu Ray
- All are r/o-vill- Bad Bakhhada, P.S.- Chhaurahi, Distt.- Begusarai
 Vs.
 State of Bihar

Ld. counsel for the petitioners: Sri Sanjeev Kumar Maharaj, Id. Adv
 Ld. counsel for the State: Sri Rakesh Kumar, Id. A.P.P.
 Ld. counsel for the informant: Md Shakeel Ahmad, Id. Adv

Date of Order- 28th April, 2026

Present:-
Sanjay Kumar Singh
Addl Sessions Judge,
Subdivisional Civil Court,
Manjhaul, Begusarai

1. The petitioners namely ***Om Prakash Ray, Somnath Ray, Manish Ray and Rishu Kumar*** seek anticipatory bail in connection with Chhaurahi P.S. Case No-22/2026 registered for the offences punishable under sections 190, 191(2), 191(3), 126(2), 115(2), 352, 351(2), 109(1), 74, 303(2), 324(4) of BNS. The copy of same has been served to the Ld. APP for state. Ld. counsels for the party have been exhaustively heard.

2. The brief case of the prosecution is in written report of one Nutan Devi informant who stated that on 09.02.2026 at about 06.30 pm she was at her home with her family. In the meantime, Amar Kumar Ray, Abhishek Kumar Ray, Om Prakash Ray, Somnath Ray, Manish Ray, Priyanshu Kumar @ Gulu, Shital Ray, Rishu Kumar, Fulbabu Ray along with 10 unknown accused persons forcibly came armed with lathi-danda, iron rod and sharp weapons at her home and abused and damaged her car. When she opposed, they also assaulted her. On hearing hulla, when her husband and son came. On seeing them, Amar Kumar Ray assaulted her husband with iron rod with intention to kill. As a result, he sustained head injury and fell unconscious on the ground

in pool of blood. When her son rushed to intervene, accused Shital Kumar, Rishu Kumar, Sonu @ Ful Babu Kumar, Manish Ray beat him brutally with lathi-danda, iron rod. Due to which he got unconscious and fell down on the ground. Om prakash Ray took out 5000/ rupees from the pocket of informant husband. On commotion, when villagers assembled, all accused persons fled away.

3. Learned counsel for the petitioners submitted that the petitioners are quite innocent and have committed no offence. Earlier neither ABA or BA has been filed or moved on behalf of these petitioners either before this Id. court or the Hon'ble High Court, Patna. These petitioners have no any criminal antecedents. These petitioners have been falsely implicated in this case due to vital land dispute and bad village politics. All sections are bailable except u/s 109(1), 74, 303(2) of BNS which added to make the offence non-bailable. Section 303(2) is ornamental section as no stolen goods have been recovered from these petitioners. No case u/s 109(1) of BNS is made out against these petitioners. The matter of fact is that informant has assaulted the applicant and his family and in order to escape from the case filed by the applicant the informant has filed his own case in the police station on the strength of money to save them from the case filed by the petitioners against the informant and his family. There is no chance of absconding and tampering with the evidence of these petitioners. These petitioners are ready to furnish bail bond with solvent sureties as satisfaction of this Id. court. On these grounds the Ld. counsel prays that the petitioners be admitted to anticipatory bail.

4. Learned counsel for the state opposed the prayer of anticipatory bail to the petitioners.

5. Heard Ld. counsels and perused the case record. At the outset it be mentioned that the case diary was called for and the same has been annexed with the record for perusal. On perusal of FIR, case diary and other material available on judicial record this case was registered for the offences punishable under section- 190, 191(2), 191(3), 126(2), 115(2), 352, 351(2), 109(1), 74, 303(2), 324(4) of BNS against the accused petitioners along with others. The petitioners are named in FIR and the allegation against them is that they have assaulted the informant, her husband and son with sticks, iron rod and sharp weapons, whereby they received injuries on their head.

*P.O-Sanjay Kumar Singh,
(Addl.S.J., Manjhaul)
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Whereas as per injury report annexed with case diary the caused injuries are normal in nature. No any overt act has been attributed against the petitioners. Independent witnesses in para-22 to 24 stated that the allegation of taking money from the pocket of informant's husband is absolutely wrong and there is an old dispute between both the parties. As per para-53 of case diary, there is no any criminal antecedent against the petitioners. There is case & counter case between the parties for the occurrence of same day. Under the circumstances, I am of the view that the petitioners deserve anticipatory bail. The anticipatory bail petition stands allowed; in the event of arrest or surrender within fifteen days from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10000/- with two sureties of like amount each to the satisfaction of Id. court below with condition that the petitioners shall extend their complete cooperation in the ensuing investigation and shall not misuse their liberty nor tamper with evidence or influence the witnesses.

The observation made in the present bail order is only for the purpose of deciding present petition and will not affect the factual matrix of the trial of the present case.

Dictated

**Sanjay Kumar Singh
Addl. S.J., Manjhaul**

Date of Judgment / Order	28.04.2026
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