

**COURT OF DISTRICT &  
ADDL. SESSIONS JUDGE-IV, BARH (PATNA)**

**Bail Petition 390 of 2026**

**Arising out of Barh P.S Case No. 382 of 2026**

(u/s 126(2), 115(2), 118(1), 329(4), 109(1), 352, 351(2) r/w 3(5) BNS)



**Shankar Ray**

(Resident of Village : Sah Salempur P.S. : Barh, District : Patna)

**S/o : Dukha Ray**

**Verses**

**a/a : 40 Years**

**..... Petitioner**

The State of Bihar

**..... Opposite Party (O.P)**

For the Petitioner : Sri Vijay Kumar & Sri Vijay Shankar Prasad, Ld. Advocates  
For the O.P.(State) : Sri Bhupendra Paswan, Ld. Addl. Public Prosecutor,

**ORDER**

**PRESENT: SRI SHALIENDRA KUMAR SINGH, ASJ-IV**

**12/08/2026**

1. Bail petition dated 27/06/2026 for grant of regular bail filed on behalf of above named accused petitioner, who is in judicial custody since, 12/06/2026 in connection with **Barh P.S Case No. 382 of 2026**, for the offence **u/s 126(2), 115(2), 118(1), 329(4), 109(1), 352, 351(2) r/w 3(5) BNS**, pressed today. A copy of bail petition has already been served to the Ld. APP.

2. Heard, Ld. Counsel & Ld. Addl. Public Prosecutor (APP) appearing on behalf of the petitioner as well as the State.

3. Prosecution case, in brief, as per written report of informant **Shyamdev Prasad Yadav** is that on 10/06/2026 at about 12 O'clock, Shankar Rai tried to kill his son by motorcycle, but he escaped. Again at about 01:00 PM, Dukhan Rai, Shankar Rai & others armed with *iron-rod, garasha & pistol* came to his house. On the order of Dukhan Rai, Sankar Rai assaulted his son Tuntun Kumar with *butt of pistol* and Bithal Rai assaulted his son with *garasha*, due to which, his head broke. Other accused persons also assaulted him & his family member with *lathi & bricks*. On hulla, when villagers came accused persons run away Sankar Rai also open fire.

4. It has been submitted by the Ld. Counsel for the petitioner that earlier no regular or anticipatory bail either before Ld. Court of Sessions or Hon'ble High Court has been filed, nor any bail application is pending before any Court and the petitioner has **no** criminal antecedents. The petitioner is quite innocent and has committed no offence. No injury as alleged has been caused by the petitioner. There is no specific allegation against the petitioner. There is no chance of absconding. Petitioner is ready to furnish bail bond with sound sureties & obey each and every conditions imposed by Court, if bail is granted.

5. Learned A.P.P. appearing on behalf of State vehemently opposed the prayer for bail and submitted that he alongwith other co-accused persons have assaulted son of informant and others, due to which, they sustained severe injury on head.

**Cont'd..../-**

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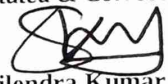


12/08/2026 ( Cont'd/-.....)

6. Trial Court Record (T.C.R.) & case diary (CD) have been received. Heard, rival contentions of both the parties and perused the record. From perusal of record, it transpires that there is **direct & specific** allegation accused petitioner that he alongwith other co-accused persons have brutally assaulted Tuntun Yadav & Shivshankar Yadav with *butt of pistol, iron-rod & garasha*, due to which, they sustained severe head injury. As per injury report submitted by informant, **Shivshankar Yadav got head injury with three stitches lacerated wound on left frontal**. He was also **diagnosed with right frontal depressed fracture with dural tear with confused parenchyma**. From report, it also reveals that he was **admitted in hospital on 10/06/2026 & got discharged on 17/06/2026**. Photographs of injured has also been submitted by informant from which, it reveals that **both the injured got severe injury**. As per para-25 of CD, **petitioner has also two criminal antecedents**. Informant in his re-statement & other witnesses at **different paras of case diary have supported the version of FIR**. After investigation police has also submitted charge-sheet against petitioner in different sections of BNS **including Section 109(1) BNS**.

7. Considering the aforesaid facts, circumstances, **seriousness, criminal antecedent & gravity of the alleged offence**, the Court is not inclined to enlarge the petitioner on bail. *Accordingly*, prayer for regular bail on behalf of above named petitioner is hereby **Rejected**. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the investigation/trial and this Court has not expressed any opinion on the merits of the case.

*Dictated & Corrected*

  
(Shailendra Kumar Singh)  
Addl. Sessions Judge-IV,  
Barh (Patna) 12/8/2026

Memo No. 1159 Dated 17 August 2026  
Copy forwarded to: The Court of **Ld. ACJM-I, Barh** : For needful.

  
(Shailendra Kumar Singh)  
Addl. Sessions Judge-IV,  
Barh (Patna) 12/8/2026

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| Date of Judgment/Order           | 12-08-2026     |
| Date of Reserving Judgment/Order | 12-08-2026     |
| Uploading Date                   | 18-08-2026     |
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