

In the Court of Sessions Judge, Vaishali

B.P. No. 414/2026

Jhapsi Ray, aged about 40 years, S/o Jugeshwar Ray, Resident of village–Mohanpur, P.S. -  
Raghopur, District – Vaishali. :- Petitioner

Versus

State of Bihar

:- O.P.

Appearance :-

Learned counsel for the petitioner :- Sri. Amarjeet Kumar, Advocate

Learned P.P. for the State :- Sri Shyam Babu Rai, P.P.

Present : Harshit Singh,  
Sessions Judge, Vaishali.

Date of order : 04<sup>th</sup> May 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., petitioner is in judicial custody since 11.03.2026, in connection with Raghopur P.S. Case No. 79/2026 registered u/ss. 191(2), 191(3), 190, 115(2), 303(2), 352, 351(2), 117(2) & 109 of B.N.S.

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that the petitioner had earlier filed A.B.P. No. 725 of 2026 before this Court, but on 11.03.2026 the petitioner was arrested and taken into judicial custody. Hence, his anticipatory bail petition was dismissed as withdrawn, and thereafter no regular bail petition has been moved on behalf of the petitioner either before this Court or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written application of the informant is that on 20/02/2026 at about 2:00 PM, the informant and his brothers were talking to each other. At the same time, under a conspiracy, all the accused persons, namely Sipahi Ray, Rambhag Ray, Ajeet Ray, Amarnath Ray, Ram Ray, Laxman Ray, Vishwakarma Kumar, and Sudama Kumar, armed with weapons, a country-made pistol, and a sharp knife, came to his doorstep and started abusing. When they began uprooting the potato crop planted by him, the informant and his brothers opposed it. On this, Jhapsi Ray ordered the above-named accused,

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"What are you looking at? Kill all three of them." Pursuant to this, Vishwakarma Kumar attacked Judge Ray with a sharp knife with intent to kill, which hit him on the head. Thereafter, Sudama Kumar attacked Sunil Ray with a knife at two places with intent to kill, hitting him on the forehead and leg. Seeing all this, Jhapsi Ray hit Anil Ray on the head with the butt of a country-made pistol, due to which his head was split open. Meanwhile, the accused persons entered the house, started beating Babita Devi with a lathi, snatched a mangalsutra weighing 3 bhar from her neck, and also took away one Redmi company mobile phone.

The learned counsel for the above-named accused petitioner submits that the accused petitioner is innocent, has committed no offence and he has falsely been implicated in this case. As a matter of fact, the informant and his family members assaulted the petitioner and their family members, and to create pressure, this false case has been instituted with false allegations to save themselves from Raghapur P.S. Case No. 78 of 2026, in which the informant of the present case is an accused. The petitioner and the informant are pattidars, and this case has been cooked up at the instance of a pattidari land dispute and to save himself and his family members from the counter case. Moreover, this counter case has been created by the informant without any occurrence as alleged.

The learned Public Prosecutor for the State opposed the prayer for bail.

To avoid confusion A.B.P. No. 725 of 2026 and B.P. No. 414 of 2026 arising out of Raghapur P.S. Case No. 79 of 2026 and A.B.P No. 821 of 2026 arising out of Raghapur P.S. Case No. 78 of 2026 heard together.

Heard the parties and also perused the case record and the case diary. From perusal of the same, it appears that there is allegation against the petitioners are of assaulting and abusing the informant and his family members. However, it transpires from the case diary that there is land dispute between both the parties. On further perusal of injury report of injureds, it also transpires that the injured person namely Anil Ray sustained following injuries which are:

Lacerated wound on the occipital aspect of the head.

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The injury sustained by the injured is grievous in nature and caused by a hard and blunt object. It is alleged to be caused by Jhapsi Ray by means of butt of desi katta.

The injured person namely Sunil Ray sustained following injuries which is:  
Lacerated wound measuring 2" x 1/3" x 1/4" on the parietal aspect of the head.

The injury sustained by the injured is simple in nature, as the C.T. Brain shows only muscular injury. It is alleged to be caused by Sudama Ray by means of knife contradictory to injury report.

The injured person namely Judge Ray sustained following injuries which is:  
Lacerated wound on the occipital aspect of the head.

The report from NMCH shows no brain injury. Therefore, the injury is simple in nature and caused by a hard and blunt object. It is to be caused by Vishwakarma Kumar caused by means of knife contradictory to injury report.

Para 14 of the case diary shows that prohibitory proceeding u/ss126 of B.N.S.S., has been recommended on both the sides.

Considering the aforesaid facts and circumstances of the case, petitioner custody, the regular bail petition of the petitioner is allowed. Accordingly, the above named accused petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned trial court.

(Dictated)

(Harshit Singh)  
Sessions Judge, Vaishali