

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67976 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- RAFIGANJ District- Aurangabad

Doman Prajapat Son of Sheonandan Prajapat Residents of Village - Kutkuri,
Police Station - Rafiganj, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kamendra Prasad Singh
For the Opposite Party	:	Mr. Shantanu Kumar
For the Informant	:	Mr. Saket Kr. Singh
		Mr. Rakesh Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rafiganj P.S. Case No. 254/2024 dated 22.06.2024 registered for the offence punishable u/s 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code and later on Section 302 of the I.P.C was added.

3. As per the prosecution case, the informant has alleged that his father had given land to his uncle Sheonandan Prajapat much prior on *ijara* for cultivation of the land but whenever he went to return the amount and asked him to free the land, he always denied and claimed that he is the owner of



the land. For the same reason on 22.6.2024, the petitioner and the co-accused persons came abusing and unanimously attacked with bricks and stones and assaulted Narayan Prajapati, Ramvilas Prajapati, Naval Prajapati with lathi and tangi, causing injury. Thereafter, the injured were taken to hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. There is a case and counter case between the parties. There is general and omnibus allegation against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.06.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that in the course of treatment one Narayan Prajapati succumbed to the injury. As per the post mortem report, the cause of death is due to physical assault (head injury).

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Rafiganj P.S. Case No. 254/2024, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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