

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10168 of 2025

Arising Out of PS. Case No.-594 Year-2024 Thana- FATEHPUR District- Gaya

Sadho Sharan Prasad Son of Late Hari Ram @ Late Hari Ram Prasad village-
Andar bazar, Ward no. 07, Mahuri tola, Ps- Fatehpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-05-2025 Heard Mr. Praveen Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Md. Mushtaque

Alam, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Fatehpur P.S. Case No. 594 of 2024 registered under
Sections 126(2), 115(2), 117(2), 109, 351(2) and 352 of the
BNS.

3. As per the allegation made in the FIR, the petitioner
assaulted the informant with iron rod causing head injury with
intention to kill.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in the present case. There is case and
counter case between the parties. The wife of the petitioner has



lodged FIR bearing Fatehspur P.S. Case No.606 of 2024 alleging that the informant had entered into her house with bad intention and both sides sustained injuries in the said incident. He submitted that injury sustained by the informant is simple in nature and he has also clarified that there is only one injury on the head of the informant, however, in the FIR two injuries has been alleged. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the allegation made in the FIR, as well as, perusing the case diary I find that there is minuscule evidence against the petitioner and injury sustained on person of the informant is only one, whereas, in the FIR two injuries has been alleged and the opinion of the doctor, regarding injury sustained, is reserved, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the



satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 594 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Ashishsingh/-

U		T	
---	--	---	--

