

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21583 of 2025

Arising Out of PS. Case No.-365 Year-2024 Thana- TEKARI District- Gaya

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1. Akhilesh Prajapati @ Akhilesh Kumar @ Akhilash Prajapat, Son of Ramchandra Prajapat, Resident of village -Law PS -Tekari District -Gaya
 2. Pankaj Kumar @ Pankaj Prajapat, son of Akhilesh Prajapati @ Akhilesh Kumar, Resident of village -Law PS -Tekari District -Gaya
 3. Parwati Devi, Wife of Akhilesh Prajapati @ Akhilesh Kumar @ Akhilesh Prajapat, Resident of village -Law PS -Tekari District -Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Tekari P.S. Case No.-365 of 2024, dated 02.09.2024, registered for the offences punishable under Sections 127(1), 115(2), 117(2), 118(1), 109, 74, 303(2), 351, 352/3(5) B.N.S.

3. On account of some land dispute there is allegation of assault causing some injury on the person of the informant.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this



case. He further submits that this false case has been lodged on account of previous enmity and even as per the alleged facts and circumstances no offence under Section 109 B.N.S.S. (Section 307 IPC) attempt to murder is made out because alleged injury is found to be simple in nature as per the doctor.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no. 3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly, seeing simple nature of the injury, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Tekari P.S. Case No.-365 of 2024, subject to the conditions as laid down under



Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

Ramesh,S.Ali/-

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