

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24018 of 2025

Arising Out of PS. Case No.-477 Year-2024 Thana- SIRDALA District- Nawada

Sako Prasad S/o- Dharam Prasad Village- Nawab ganj, P.S.- Sirdalla, District
- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-08-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Sirdalla P.S.Case No.477 of 2024, registered for the offences
punishable under Sections 191(2), 191(3), 190, 126(2), 115(2),
117(2), 118(1), 109, 76, 303(2), 352, 351(2) of BNS and Section
27 of the Arms Act.

3. As per the allegation made in the FIR, all the
accused persons with a common intention to kill assaulted the
informant and his family members. Altogether 23 persons have
been named in the FIR.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent though one
criminal case is pending against him, in which he is on bail. The



specific allegation, as has been alleged against the petitioner, is that he along with co-accused Anita Devi assaulted the informant, Chunnu Prasad, who has sustained only one injury.

5. Learned counsel further submitted that there is case and counter case between the parties arising out of the land dispute. The petitioner being innocent and the allegation also being general and omnibus, seeks to be enlarged on pre-arrest bail.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

7. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that there is direct allegation against the petitioner that he along with co-accused Anita Devi assaulted on the head of the informant, Chunnu Prasad, who has sustained only one injury but the same is not attributable to the petitioner and the opinion of the Doctor has not been brought on record.

8. In such circumstances, learned district court is directed to verify the injury report and see as to whether the injury is simple in nature and in case, the injury is found to be simple in nature, the petitioner is directed to be released on pre-arrest bail in connection with Sirdalla P.S.Case No.477 of 2024



pending before the court of the learned J.M. 1st class, Nawada
subject to conditions as laid down under Section 482(2) of
BNSS of 2023 and the other terms and conditions, as the learned
district court deems fit and proper.

9. The present bail application is accordingly disposed
of.

(Purnendu Singh, J)

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