

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23658 of 2025

Arising Out of PS. Case No.-345 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Uday Prasad @ Uday Kumar Prasad S/o Bachcha Prasad Resident of Village-
Vistaul, P.S. - Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This matter has been listed under the heading “**To
Be Mentioned**” at the instance of the office.

3. The petitioner has preferred this application for grant of regular bail in connection with Baikunthpur P.S. Case No. 345 of 2023 dated 07.10.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 read with Section 34 of the Indian Penal Code.

4. As per the prosecution case, when the informant was at his door then the petitioner alongwith co-accused persons came with tangi, dab, sword, lathi, bhala and farsa and surrounded him and started abusing thereafter, when the



informant tried to flee away, the co-accused Santosh Prasad attacked on his head by means of tangi due to which he sustained injury on his head and blood started oozing out then the petitioner attacked by means of dab at his neck due to which he sustained injury on the left side of his head. On shouting of informant his family members came to rescue him but till then the co-accused Kameshwar Prasad snatched golden chain from his neck. Due to assault, the informant fell unconscious.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is land dispute between the parties. There is no specific allegation of assault against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 18.02.2025. The co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.10.2024 passed in Cr. Misc. No. 63079 of 2024.

6. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that as per impugned order dated 06.03.2025, the specific allegation against the petitioner that he assaulted the informant with daab due to



which the informant received cut injury on his head. As per injury report, the injuries sustained by the injured are simple in nature but the informant has received multiple injuries.

7. 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, Gopalganj in connection with Baikunthpur P.S. Case No. 345 of 2023, 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 bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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