

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31798 of 2025

Arising Out of PS. Case No.-415 Year-2024 Thana- BODHGAYA District- Gaya

Satyendra Prasad @ Satyendra Parasad, Son of Prayag Mahto, Resident of
Village and Post office -Bakraur, P.S.- Bodh Gaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bodh Gaya P.S. Case No. 415 of 2024 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 76, 109, 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On account of dispute, in relation to construction of roof, allegedly all the F.I.R. named accused persons, armed with deadly weapons barged into the house of the informant and assaulted all the family members. The allegation against the petitioner is of causing sword blow over the ear of the husband of the informant, due to which he got cut injury. Further allegation has been levelled against the other co-accused persons of causing injury to other family members.



4. Learned Advocate for the petitioner contended that admittedly the genesis of the occurrence is a land dispute; moreover both the parties are *Gotia* and on account of the dispute, they entered into a free fight, resulting into injuries in both sides. So far the injury, which is allegedly sustained to the husband of the informant and attributable to the petitioner, is concerned, the same is found to be simple in nature. To support the aforesaid contention, the injury report is marked as Annexure-P/2. It is further contended that in the occurrence, none of the person has sustained any grievous injury. Moreover, the other co-accused, against whom there was identical allegation, have been allowed anticipatory bail by the court below itself. So far the petitioner is concerned, only on account of one criminal antecedent and specific allegation, his anticipatory bail came to be rejected by the court below.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner has actively participated in the crime.

6. Considering the submissions advanced on behalf of the parties and taking note of the simple nature of injury, coupled with the genesis of occurrence, let the petitioner, named above, in the event of his arrest or surrender before the court



below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 415 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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