

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33952 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- SHERGHATI District- Gaya

Sanoj Prajapat @ Sanoj Kumar S/o Janki Prajapat @ Janki Prajapati, R/o
Mohalla- Ramna, P.S.- Sherghati, Distt- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sherghati P.S. Case No. 06 of 2025 dated 03.01.2025, registered for the offences punishable under Sections 191(2), 126(2), 115(2), 74, 109 and 352 of the B.N.S., 2023.

3. As per prosecution case, petitioner and other co-accused persons, armed with *lathi*, *danda* and sword, came to the house of informant and started abusing the husband of the informant and her family members. They also assaulted the family members of the informant. The petitioner fractured the head of the husband and brother-in-law of the informant by hitting on their head with *danda*. When the informant, her mother-in-law and daughter intervened, they were also assaulted and abused.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The actual fact of the case is that informant of the present case and her family members brutally assaulted the petitioner and his family members for which Sherghati P.S. Case No. 04 of 2025 has been lodged under Sections 126(2), 115(2), 109, 74 and 352 read with Section 3(5) of the B.N.S., 2023 against the informant and her family members. The present case is completely false and concocted and is counter blast of Sherghati P.S. Case No. 04 of 2025. The injuries of husband and brother-in-law of informant are found to be simple in nature. There is no allegation of assault or use of any kind of force against the petitioner and no offence under Section 74 of the B.N.S., 2023 is made out. In fact, none of the injuries have been received either by the informant's husband or any of the family members at the hands of the petitioner. Learned counsel further submits that the parties are next door neighbours and due to dispute over right to way this occurrence has taken place. The learned counsel lastly submits that the petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner and submits that there is allegation of assault against the petitioner and other co-accused persons.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the simple and superficial nature of injuries sustained by the victims and also considering the counter version and further considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati (Gaya), in connection with **Sherghati P.S. Case No. 06 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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