

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33933 of 2025

Arising Out of PS. Case No.-158 Year-2023 Thana- ROSHANGANJ District- Gaya

Jaylal Prajapat S/o Niranjana Prajapati R/o Village- Juri, P.S.- Bankey Bajar,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dinesh Singh, 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.

02. In the present case, the petitioner is apprehending his arrest in connection with Roshanganj (Bankebazaar) P.S. Case No. 158 of 2023, registered for the alleged offence under Sections 147, 148, 149, 341, 342, 323, 324, 337, 338, 353, 307, 427, 188 of the Indian Penal Code.

03. As per prosecution case, in a protest against the act of the Government in allotting clusters of sand mining, 150-200 persons violating the prohibitory order, took out a procession. The assembly became violent and they assaulted two persons brutally and the mob attacked the police party resorting to brick-batting and assault by *lathi* and *danda*. 33 persons have been named and 150 unnamed persons were also



found involved. The name of the petitioner transpired during investigation for being a participant in the said procession and for assaulting the police party.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case as after the alleged occurrence, four motorcycles have been seized by the police near the place of occurrence and one of the motorcycles belongs to this petitioner and merely on that basis, petitioner has been made accused in this case. Otherwise, there is no material against this petitioner to show his involvement. The petitioner has no concern at all with the procession which was taken out by the *Kisan Sangharsh Morcha*. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and his clean antecedent and also considering the 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



bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sherghati at Gaya/court concerned in connection with Roshanganj (Bankebazaar) P.S. Case No. 158 of 2023, subject to the condition laid down under Section 482(2) of BNSS 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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