

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39350 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- PIPRA District- Supaul

Jai Prakash S/o Chhathu Mandal Ward No. 15, Vill.- Kaushalipatti, PS- Pipra,
Distt.- Supaul, Bihar, Pin Code- 852108

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gouranga Chatterjee, Sr. Adv. Ms. Tanushri, Adv. Mr. Purushottam Kumar, Adv. Mr. Sahil Kumar, Adv. Mr. Ujjwal Raj, Adv. Mr. Anirvan Choudhuri, Adv.
For the State	:	Mr.Akshay Lal Pandit, APP
For the Informant	:	Mr. Kumar Praveen, Adv. Mr. Barun Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 07-11-2025 Heard learned Senior Advocate for the petitioner and

learned Additional Public Prosecutor for the State as well as the

informant.

2. The petitioner is apprehending his arrest in
connection with Pipra P.S. Case No. 92 of 2025, registered for
the offences punishable under Sections 191(2), 115(2), 118(1),
109, 74, 303(3), 352 of the BNS.

3. On the fateful day, while the mother of the
informant was engaged in cleaning the cow-shed, in the
meanwhile, all the FIR named accused persons armed with
various weapons came there and started abusing. On protest



being made, it is specifically alleged that the petitioner with knife, co-accused Vinod Kumar with farsa, Abhishek Kumar with iron rod and Gautam Kumar with stick brutally assaulted the informant's mother due to which she sustained serious injuries.

4. Learned Senior Advocate for the petitioner referring to the FIR contended that the entire prosecution case falls to the ground in view of the injury report, which does not correspond to any injury caused by knife. Had the injured sustained any knife injury there must have been penetrating injury but all the three injuries are lacerated, out of which only one being grievous in nature caused by sharp object; hence injury No. 3 (grievous) is sustained by *farsa* and cannot be said to be caused by knife. It is further contended that there is counter version of the present case being Pipra P.S. Case No. 94 of 2025 instituted by the petitioner's side. The petitioner is a Government Teacher by profession and in fact on account of some land dispute both the parties entered into a scuffle resulting into unfortunate injury. It is further submitted that so far two criminal antecedents, as has been disclosed in para-3, is concerned; one has been instituted by the member of the informant side itself that too in the premise of land dispute.



5. On the other hand, learned Advocate for the State and the informant vehemently opposed the bail application and submitted that the mother of the informant has sustained grievous injury and the petitioner has actively participated and inflicted injury by means of knife.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the active participation of the petitioner, besides two criminal antecedents, as has been disclosed in para-3, coupled with the grievous nature of injury, this Court is not inclined to accede to the prayer for anticipatory bail of the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected. However, if the petitioner surrenders and prays for regular bail before the court below within a period of four weeks from today, the same shall be considered by the court below without being prejudiced by the order of this Court, taking note of the submission, forthwith.

(Harish Kumar, J)

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