

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42466 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- BALIGAON District- Vaishali

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Gagan Kumar Son of Dukhi Singh Village -Ali Nagar Lebdhan P.S.-Baligaon,
District Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-10-2025 Heard Mr. Prithivi Raj Singh, learned counsel for the

petitioner and Mr. Rajendra Prasad Nat, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Baligaon P.S. Case No. 125 of 2024, F.I.R. dated 14.09.2024 for the offences punishable under Sections 126(2), 127(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that when he was going to market to bring goods on his motorcycle, in the meantime, petitioner along with other co-accused persons came and assaulted him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. As per allegation in the FIR the petitioner has assaulted the informant by means of iron rod and he received injury. He further submits that the allegation as alleged in the



F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. The learned Additional Public Prosecutor on the basis of materials available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that it appears from FIR that FIR is in two parts, in first part the allegation against the petitioner and other co-accused persons is that they have assaulted to the informant and in the second part there is specific allegation against the petitioner that he assaulted the informant by means of iron rod and injury report of the informant suggest that he has received only one injury on head which is grievous in nature.

6. Considering the aforesaid facts and circumstances that there is specific allegation against the petitioner and injury report of the informant suggest that injury inflicted upon him is grievous in nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Baligaon P.S. Case No. 125 of 2024 pending in the court of C.J.M., Vaishali at Hajipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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