

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44631 of 2025

Arising Out of PS. Case No.-363 Year-2025 Thana- FATEHPUR District- Gaya

Rajesh Prasad S/O Late Dani Prasad R/O Village-Khajuri, PS-Fatehpur, Distt-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Adv.
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Sheo Nandan Prasad, Adv.
		Mr. Rajnish Kumar, Adv.
		Ms. Sweta Burniwal, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 363 of 2025 registered for offence under
Sections 127(1), 115(2), 352, 351(2), 324(4)(5), 109, 329(3) and
3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the
Arms Act.

3. As per prosecution case, the accusation against the
petitioner is that he along with his other family members in a
planned manner attacked the informant party causing serious
injury upon Satyendra Prasad and Rajesh Kumar. It is also



alleged that the accused persons also made firing.

4. Learned counsel for the petitioner submits that the petitioner is an army personnel and has committed no offence as alleged against him and has falsely been implicated in the present case due to old enmity. Learned counsel for the petitioner further submits that Satyendra Kumar Yadav and Rajesh Kumar have sustained injury and the doctor has found the injury caused by hard and blunt substance. He further submits that the allegation against the petitioner is of assaulting by sword to Rajesh Kumar which is not supported by the medical evidence as the doctor has not found any sharp cutting injury either on Satyendra Kumar Yadav or Rajesh Kumar. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. He further submits that the injuries sustained by both the injured namely Satyendra Kumar Yadav and Rajesh Kumar is grievous in nature. Charge-sheet has been submitted in this case against the petitioner.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fatehpur P.S. Case No. 363 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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