

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88958 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- CHUTIA SAHAYAK District- Rohtas

Awadhesh Prajapati, Son of Nathuni Prajapati, Resident of village - Tiura,
Police Station- Chutiya, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Mishra, Advocate
For the Informant	:	Mr. Babu Nandan Prasad, Advocate
For the State	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Chutiya P.S. Case No. 50 of 2025 registered for the offence punishable under Sections 191(3), 117(2), 118(2), 109(1), 76, 352 and 351(2) of B.N.S.

3. The case of the prosecution, in short, is that the petitioner along with others arrived with an intention to kill and it is alleged that the petitioner assaulted with *Tangi* on the head of Shyam Sundar Prajapati due to which he received bleeding head injury. After that, he gave a *Tangi* blow on his hand due to which he has cut injury on his hand. When the wife of Shyam Sundar Prajapati came she was also assaulted with *Tangi*.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that the petitioner and the informant are cousin brothers. There is land dispute between them and the occurrence has taken place on spur of moment and from perusal of the injury report of Shyam Sundar Prajapati it will transpire that he has received following injuries:-

(i) Cut wound in right and left parietal region of head
(ii) Pain and swelling left elbow, (iii) Cut wound in right elbow,
(iv) X-Ray report: Fracture shaft of radius and ulna of left forearm, (v) C.T.-Scan of head-normal. The injury on hand is grievous in nature.

5. As far as the injury report of Sharda Devi is concerned, she has received following injuries:

(i) Cut wound in right leg and left wrist, (ii) Swelling parietal region of head, (iii) CT-scan report-normal regarding head and X-Ray of left hand shows fracture of fifth metacarpal. So this injury on hand is grievous in nature.

6. Learned counsel for the petitioner has also submitted that both the injured have received grievous injury on their hand only. The injuries which have been received on them



on other parts of the body are simple in nature. There was no intention on the part of the petitioner to commit murder of the victims of this case. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 30.08.2025.

7. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the application for bail. Learned counsel for the informant has submitted that victims of this case have received grievous injuries.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Dehri, Rohtas in connection with Chutiya P.S. Case No. 50 of 2025.

(Ashok Kumar Pandey, J)

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