

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.957 of 2026

Arising Out of PS. Case No.-252 Year-2025 Thana- JAMHOR District- Aurangabad

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1. Rahul Kumar S/O Sunil Prajapati @ Gautam Kumar Resident of Village- Chichanmi, P.S- Jamhore, District- Aurangabad
 2. Sunil Prajapati @ Gautam Kumar Son of Late Radha Mohan Prajapati Resident of Village- Chichanmi, P.S- Jamhore, District- Aurangabad
 3. Kanhai Prajapati Son of Dukhdewan Prajapati Resident of Village- Chichanmi, P.S- Jamhore, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Binod Kumar Pandey, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-03-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw this anticipatory bail application with regard to Petitioner No. 2, namely Sunil Prajapati @ Gautam Kumar, as during pendency of this case, Petitioner No. 2 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.



4. Accordingly, this anticipatory bail application with regard to Petitioner No. 2 stands dismissed as withdrawn.

5. Petitioner Nos. 1 and 3 apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 117(2), 109 and 303(2) of the B.N.S..

6. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, abused and assaulted son of informant and snatched his gold chain on the point of pistol. It is further alleged that when the informant, along with his wife, went to the house of the accused persons to complain about the incident, they were also brutally assaulted.

7. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are co-villagers and petitioners have falsely been implicated in this case with ulterior motive. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

8. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they assaulted informant, his wife and his son. It is further submitted that doctor has found the injuries, caused by Petitioner No. 1, grievous in nature.

9. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of injuries allegedly caused by Petitioner No. 1, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

10. So far as Petitioner No. 3 is concerned, considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner No. 3 is allowed.

11. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VIII, Aurangabad in connection with Jamhore P.S. Case No. 252 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..



12. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

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