

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 611/2026

Arising out of Nabinagar P.S. Case No. 05/2026

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Krishna Prajapati, S/o Chandradeep Prajapati, age-30 years, R/o village- Jhakhari
Bilaspur, P.S.-Nabinagar, District – Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s) : Sri Kamakhaya Narayan Singh, Adv.
For the State : Sri Ajay Kumar, P.P.

25.04.2026

Apprehending his arrest in connection with Nabinagar P.S. Case No. 05 of 2026 instituted under Sections 126(2), 115(2), 118(1), 351(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, petitioner has moved before this court for grant of privileges of anticipatory bail. A copy of the anticipatory bail petition has been served upon the ld. P.P. for the State.

The briefly stated prosecution story is that the accused persons, who were in inebriated state, came at the door of informant and started abusing him. On being protested, the accused persons assaulted the informant. When the sons of informant named as Varun Kumar and Saroj Kumar came to rescue him, petitioner Krishna Prajapati assaulted them by an iron pipe causing injuries over their head. Thereafter, petitioner and co-accused brutally assaulted the informant causing injury over his right hand and face.

Learned counsel for the petitioners has submitted that petitioner is quite innocent and he has been falsely implicated in this case. Petitioner has not assaulted any person. It is further submitted that the informant and other persons have brutally assaulted the mother of petitioner named as Parwati Devi on the allegation of practicing witchcraft. Petitioner is having no criminal antecedent. It is therefore prayed that the petitioner be released on anticipatory bail.

Per contra, learned P.P. opposed the prayer for grant of anticipatory bail to the petitioners and submits that the son of informant named as Varun Kumar Prajapati succumbed to death during course of his treatment and there is specific allegation against the petitioner for causing head injury to the deceased by an iron pipe as such he does not deserve to be released on anticipatory bail.

Heard learned counsel appearing for the petitioner and learned P.P. for the State.

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It is specifically alleged against the petitioner that he had caused head injury to both sons of informant by an iron pipe. The injuries caused to Varun Prajapati (son of informant) are found as follows:- (1) A lacerated wound on right parietotemporal area, (2) A lacerated wound on right vertex. The injury sustained by Saroj Kumar (another son of informant) is a lacerated wound on left parieto occipital area. During course of investigation, there is a statement given by the injured Saroj Kumar, which is mentioned at para-23 of the case diary, who has supported the allegation against the petitioner. At para-24 of the case diary, there is statement of independent witness, who has also supported the prosecution case. It is mentioned at para-25 of the case diary that injured Varun Prajapati was in unconscious condition and was not able to give his statement. It is further mentioned at para-58 of the case diary that injured Varun Kumar Prajapati was died during course of his treatment. There is postmortem report supplied to the court, which clearly mentions regarding the external and internal injury of deceased. However, opinion is kept reserved due to want of viscera report.

Considering the fact that there is specific allegation against the petitioner regarding cause of head injury to both sons of informant and during course of receiving their treatment, one of the son named as Varun Kumar Prajapati was died. **Hence, the anticipatory bail petition filed on behalf of the petitioner is hereby rejected.**

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)