

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6205 of 2023

Arising Out of PS. Case No.-1004 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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JEEVAN PASWAN Son of Late Badri Paswan R/o Bhikhanpur, P.S.-
Ishakchak, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Kotwali (Tilkamanjhi) PS case no. 1004 of
2022, registered for the offences punishable under Section 307
and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having assaulted the son of the
informant by sword and bomb, when two groups were going in
the night of 26/27.10.2022 to immerse idol and altercation had
taken place.

The learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in the
present case. The petitioner is stated to be accused in two other



cases but he is on bail in the said cases. The learned counsel for the petitioner has further submitted that though the petitioner has been alleged to have thrown a bomb on the son of the informant, however, the impugned order dated 19.12.2022 would show that the injury sustained by the son of the informant has been found to be simple in nature as per the injury report, hence, the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the injury sustained by the son of the informant has been found to be simple in nature, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



Chief Judicial Magistrate, Bhagalpur in connection with Kotwali
(Tilkamanjhi) PS case no. 1004 of 2022, subject to the conditions
as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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