

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78471 of 2023

Arising Out of PS. Case No.-34 Year-2022 Thana- NTPC District- Patna

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TEJASAWI PASWAN @ TEJASAWI KUMAR S/o- GHANSHYAM
PASWAN Village- Dhibar Ps- NTPC Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-12-2023 Heard Ms. Kumari Pallavi, learned Counsel for the

petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with NTPC P.S. Case No. 34 of 2022 for the offence registered under sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code lodged on 13.04.2022 by the informant Ganesh Kumar.

3. As per the prosecution story, in a quarrel between the children, the adults decided to join. The allegation is that later, the informant's brother was assaulted by Ajay Paswan. When the informant's mother and sister went there to save him, allegation is that this petitioner assaulted them causing injury



and according to the observation of the learned Sessions Judge, the hands of the sister and mother were broken while there were injury on the head of the informant.

4. Learned Counsel for the petitioner submits that though there is incorporation of such facts, from the first paragraph of the same order, it is clear that the injuries have been found to be simple in nature.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that as per the incorporation, there is confusion whether the injuries are simple or grievous.

6. The Court concerned shall check the injury of the informant's side and if the injuries inflicted by the petitioner are simple in nature, the relief of anticipatory bail be extended to him.

7. If however, it is found that contrary to the submissions made before this Court, the injuries inflicted by this petitioner on any of the informant's side have been found to be grievous in nature, the anticipatory bail be deemed rejected.

8. In case of injuries inflicted by him is/are found to be simple, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, the petitioner



shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Barh in connection with NTPC P.S. Case No. 34 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



9. With the aforesaid observations, the anticipatory
bail application stands allowed.

(Rajiv Roy, J)

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