

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69862 of 2024**

Arising Out of PS. Case No.-88 Year-2024 Thana- NAUHATTA District- Saharsa

1. RAJENDRA PASWAN @ RAJINDRA PASWAN S/O LATE THAKKO PASWAN RESIDENT OF VILLAGE- BARAHI, PS- NAUHATTA, DISTRICT- SAHARSA
2. Kundan Paswan S/o Rajendra Paswan @ Rajindra Paswan RESIDENT OF VILLAGE- BARAHI, PS- NAUHATTA, DISTRICT- SAHARSA
3. Chandan Paswan S/o Rajendra Paswan @ Rajindra Paswan RESIDENT OF VILLAGE- BARAHI, PS- NAUHATTA, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      17-10-2024                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Nauhatta P.S. Case No. 88 of 2024 registered for the offences punishable u/s 341, 323, 324, 325, 307, 379, 504, 34 of the IPC.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have abused and assaulted the informant's side brutally by means of deadly weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is case and counter case between the parties. Both sides have sustained injuries. Though there is serious allegation against petitioner no.3 to assault the informant's son with knife on his head, but as per the injury report, the injury caused by petitioner no.3 was found simple in nature. Petitioner no. 2 & 3 have two criminal antecedents, whereas petitioner no.1 has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is serious allegation against petitioner no.2 to assault the informant's son brutally by means of iron rod due to which he has sustained grievous injury. Hence, he does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury caused by petitioner no.3 i.e. simple, let the above named petitioner nos. 1&3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks



from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Nauhatta P.S. Case No. 88 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, petitioner no.2 is author of grievous injury, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of petitioner no.2 is hereby rejected.

8. Accordingly, this application stands partly allowed.

**(Anjani Kumar Sharan, J)**

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