

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5564 of 2025

Arising Out of PS. Case No.-418 Year-2024 Thana- PAKARIBARAW District- Nawada

1. Dharmraj Kumar @ Dharmraj Kumar Paswan Son of Dharmendra Paswan Resident of Village - Mathgulani, Police Station -Pakaribarawan, District - Nawada
2. Uttam Kumar Son of Basant Paswan Resident of Village - Mathgulani, Police Station -Pakaribarawan, District - Nawada
3. Subodh Kumar Son of Kailash Paswan @ Kaillu Paswan Resident of Village - Mathgulani, Police Station -Pakaribarawan, District - Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Rajeev Nayan, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Pakaribarawan PS. Case No.418 of 2024 dated 19.09.2024, registered for the offences punishable under Sections 162(2), 115(2), 351(2), 352, 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per allegation the petitioners and other co-accused have assaulted the informant and his friend.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, altercation took place during celebration of some religious festival resulting into injury on both sides. He also submits that there was case and counter case filed by both the sides and the counter case filed by the petitioner is Pakaribarawan P.S. Case No. 422 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly case and counter case and injury from both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-II, Nawada, in connection with



Pakaribarawan PS. Case No.418 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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