

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.6711 of 2025

Arising Out of PS. Case No.-421 Year-2024 Thana- DAUDNAGAR District- Aurangabad

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1. Somaru Ram @ Chamaru Paswan @ Samaru Paswan Son of Benga Paswan Resident of Village - Sipaha, P.S. - Daudnagar, District - Aurangabad
 2. Pawan Kumar Son of Dukhan Paswan Resident of Village - Sipaha, P.S. - Daudnagar, District - Aurangabad
 3. Aman Kumar Son of Doma Paswan Resident of Village - Sipaha, P.S. - Daudnagar, District - Aurangabad
 4. Doman Paswan @ Dosa Paswan @ Doma Son of Benga Paswan Resident of Village - Sipaha, P.S. - Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 18-03-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Daudnagar Police Station Case No. 421 of 2024, disclosing offences under Sections 126(2), 115, 109, 3(5) of the BNS, 2023.

3. As per the prosecution case, on 16.07.2024, there was a quarrel between the informant's son Kashmir Kumar and Prince Kumar aged about 16 years and other school friends in



which the informant's son was assaulted and he sustained injuries. On 18.07.2024, while the informant's son Kashmir Kumar was going to attend the coaching, he was apprehended and made captive and when the informant got this information from the villagers and reached near the place of occurrence along with four to five persons, the accused persons named in the FIR started assaulting with a lathi in which the informant's side got injuries and Aditya Kumar aged about 16 years was assaulted on his head by means of lathi due to which he sustained injury on the head.

4. Learned Counsel for the petitioners submits that the petitioners have been made accused due to dispute between children who were studying in the school and a counter case has also been lodged by the side of the petitioners against the informant and others. The allegation against the petitioners are general and omnibus in nature and petitioners nos. 2 and 3 are teenagers aged about 22 and 18 years except petitioner nos. 1 and 4.

5. On the other hand, learned counsel for the State opposes the prayer for bail and submits that petitioners are named in the FIR, there is allegation against them of assaulting the informant's side along with Aditya Kumar who sustained



grievous injury on his head which is vital part of the body.

6. I have heard learned counsel for the parties and have perused the material on record including the impugned order. From the impugned order, it appears that Aditya Kumar has sustained serious grievous injury on his head. One of the accused persons namely Dukhan Paswan was granted regular bail by the learned Sessions Judge. Petitioner nos. 1 and 4 are aged about 45 years and 40 years. There is allegation against them of assaulting the informant's side including the victim Aditya Kumar, accordingly, I am not inclined to grant the petitioner nos. 1 and 4 privilege of anticipatory bail and their application for bail is rejected. However, considering the age of petitioner nos. 2 and 3 who are aged about 22 years and 18 years, I am inclined to grant the petitioner nos. 2 and 3 privilege of anticipatory bail.

7. This application is, accordingly, allowed to the extent indicated above

8. Let the petitioner nos. 2 and 3, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate,



Daudnagar, Aurangabad, in connection with Daudnagar Police
Station Case No. 421 of 2024, subject to the condition laid
down under Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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