

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8520 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- PALANWA District- East Champaran

Dhurendra Paswan Son of Mani Paswan Resident of Village - Gad Bahuaree,
P.S. - Palanwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that accused persons including the petitioner came and
started abusing, on protest, petitioner assaulted her with *lathi* on
account of which she fell, thereafter, Pradhuman tore her *saree*
and when her husband came to save her, the petitioner assaulted
her husband by an iron rod causing injury on head and thereafter
all the accused assaulted her son who came to save his father
and Dulari took out Rs. 50,000/- and her husband was brought



to PHC form where he was referred to Sadar hospital, Motihari.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the order impugned does not record the nature of injury suffered by the husband of the informant. It is next submitted that even from perusal of the allegation as alleged in the F.I.R., it would manifest that the blow was not repeated. It is thus submitted that since the learned District Court has not recorded the nature of injury that amply demonstrates that the injury was simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against this petitioner of assaulting the husband of the informant by an iron rod causing injury on head. It is further submitted that merely because the learned District Court has not recorded the nature of injury that in itself should not be a ground for granting anticipatory bail to the petitioner as the assault was on vital part of the body, but then the learned APP fairly submits that the blow was not repeated.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Palanawa P.S. Case No. 70 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the learned Trial Court, before accepting the bail bonds of the petitioner, shall verify the injury report of the husband of the informant and in the event if it is found that he suffered grievous injury on head in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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