

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14614 of 2025

Arising Out of PS. Case No.-416 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Bijo Paswan, Son of Late Mahavir Paswan, R/o village- Mahkar Ward no. 10, Po- Mahkar, P.S- Simri Bakhtiyarpur, Dist- Saharsa
 2. Nitish Kumar, Son of Naresh Paswan, R/o village- Mahkar Ward no. 10, Po- Mahkar, PS- Simri Bakhtiyarpur, Dist- Saharsa
 3. Naresh Paswan, Son of Late Mahavir Paswan, R/o village- Mahkar Ward no. 10, Po- Mahkar, PS- Simri Bakhtiyarpur, Dist- Saharsa
 4. Domi Paswan, Son of Late Viranchi Paswan, R/o village- Mahkar Ward no. 10, Po- Mahkar, PS- Simri Bakhtiyarpur, Dist- Saharsa
 5. Ghanshyam Kumar, Son of Naresh Paswan, R/o village- Mahkar Ward no. 10, Po- Mahkar, PS- Simri Bakhtiyarpur, Dist- Saharsa
 6. Hareram Paswan, Son of Dukhan Paswan, R/o village- Mahkar Ward no. 10, Po- Mahkar, PS- Simri Bakhtiyarpur, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-04-2025 Heard Mr. Amarnath Jha, learned counsel for the

petitioners and Mr. Sanjay Kumar Singh, learned APP for the

State.

2.The instant application for anticipatory bail has been

filed by the petitioners apprehending their arrest in connection

with Simri Bakhtiyarpur P.S. Case No. 416 of 2024 instituted

for the offence under Sections 126(2), 115, 118(1), 109, 303(2),

3(5) of B.N.S.



3. The case of the prosecution is that on 01.10.2024 at about 9 P.M., all the accused persons including the petitioners arrived. On the order of Domi Paswan, petitioner no. 4, Sanjay Paswan assaulted the father of the informant with iron rod which caused injury on the head. Ghanshyam Kumar, petitioner no. 5 assaulted the brother of the informant with butt of the three nut which caused injury on his left eye and Bijo Paswan, petitioner no.1 assaulted the informant with *lathi*.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of the impugned order, it transpires that Manish Kumar who was being assaulted by Ghanshyam has received grievous injury. Injuries of other victims are simple in nature. Though the injury is grievous with respect to injured Manish Kumar but from perusal of the dimensions which is abrasion below left eye measuring 1" x 1/2" does not correlate with the opinion. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Simri Bakhtiyarpur P.S. Case No. 416 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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