

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11887 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- CHANAN District- Lakhisarai

1. Shital Devi, Wife of Sunil Kumar Paswan,

2. Sunil Kumar Paswan, Son of Surendra Paswan

Both are resident of Village - Bhandar (Sangrampur), P.S. - Chanan, District - Lakhisarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

Mr. Amrendra Kumar, Advocate

Mr. Anil Kumar Singh No. 1, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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02-04-2025

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Chanan P.S. Case No.116 of 2024 registered under Sections 126(2), 115(2), 352, 351(2), 329(3), 303(2), 75(1) and 3(5) of the Bhartiya Nyaya Sanhit (in short ‘B.N.S.’).

3. Allegation against the petitioners is to assault the informant and his family members and also to outrage the modesty of his wife during the course of occurrence.

4. It is submitted by learned counsel appearing for the petitioners that the present occurrence took place out of



family and neighbourhood disputes, where petitioner no.2 is own brother of the informant. It is pointed out that prior to this occurrence, the petitioner have lodged a criminal case against informant and others regarding same occurrence, which has been lodged as Chanan P.S. Case No.115 of 2024 and to counter the aforesaid case, the present false case was lodged against these petitioners. It is pointed out that petitioner no.2 had received head injury during the occurrence, as alleged to be caused by informant of the present case. While concluding argument, it is pointed out that petitioner no.2 found involved in two more criminal cases, where he is on bail and petitioner no.1 is a lady of clean antecedent, who is wife of petitioner no.2.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as the occurrence *prima facie* appears free fight in nature *prima facie* negating sexual intent, where petitioner no.1 is a lady of clean antecedent, accordingly, both above-named petitioners are directed to be released on bail, in the event of their arrest or surrender in the court below



within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Lakhisarai in connection with Chanan P.S. Case No.116 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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