

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14314 of 2025

Arising Out of PS. Case No.-472 Year-2024 Thana- BARUN District- Aurangabad

Surendra Paswan @ Surendra Ram Son of Late Dashrath Ram Village-
Dhanauti, Ps- Barun, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 126(2),115(2),117(2),74,109,303(2),352,3(5) of the
B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case. It is next submitted
that from perusal of the allegation as alleged in the FIR, it
would manifest that petitioner is alleged to have assaulted the
informant with khanti causing injury on head and thereafter, is
alleged to have assaulted the mother of the informant causing
injuries on hand and thigh, thereafter Bhim Paswan is alleged to
have assaulted informant's wife and sister in-law with fists and



kicks and even torn their clothes, while Nirmala took away silver chain of Rita Devi and also assaulted her with kicks thereafter Harihar Paswan assaulted the elder brother of the informant with lathi.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is alleged to have assaulted the informant and his mother. It is next submitted that injury suffered by the informant is simple in nature, while opinion with regard to the injuries suffered by the mother of the informant has been reserved. It is also submitted that from perusal of the injury report at Page-18 of the anticipatory bail application, it would manifest that the mother of the informant was examined and the doctor found restricted left hip joint movement and restricted left wrist movement and accordingly, advised for X-ray, as such, opinion has been reserved awaiting the X-ray report.

5. Learned A.P.P. Sri Chandra Bhushan Prasad vehemently opposes the anticipatory bail application and submits that petitioner is alleged to have assaulted the mother of the informant a woman and that too on hand and thigh and the



opinion with respect to the injuries has been reserved, which amply demonstrates that the injury suffered by the injured is grievous in nature. It is next submitted that since petitioner assaulted the mother of the informant that in itself is a ground for not extending the privilege of anticipatory bail to the petitioner. The learned counsel appearing on behalf of the petitioner submits that no doubt, petitioner is alleged to have assaulted the mother of the informant, but then, opinion with respect to the injury is awaited and it might be a possibility that the injury suffered by the mother of the informant is opined to be simple in nature.

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Barun P. S. Case No.472 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. It is made clear that the learned trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the injury report of the mother of the informant Dhanwanti Devi and in the event, if it is found that any of the injuries suffered by the mother of the informant is opined to be grievous in nature, in that event, the provisional anticipatory bail granted to the petitioner shall be cancelled, but if it is found that both the injuries of the mother of the informant is opined to be simple in nature, in that event, the provisional anticipatory bail bonds shall be confirmed.

(Satyavrat Verma, J)

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