

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20722 of 2025

Arising Out of PS. Case No.-248 Year-2024 Thana- BEERPUR District- Begusarai

Ranjan Paswan @ Rajan Paswan S/o- Phule Paswan @ Phulo Paswan
Village- Maida Babhangama W.No-1, Ps- Birpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Birpur
P.S. Case No. 248 of 2024 instituted for the offences under
Sections 126(2), 115(2), 352, 109, 3(5) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the accusation against the
petitioner is of assaulting the Informant's son namely Kanhaiya
Pandey by means of *Pagharia* on his head due to which he
sustained head injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that the date of occurrence is 05.12.2024 in
the evening at 5-6 O'clock but, the F.I.R. was lodged on



06.12.2024 at 18.04 O'clock without disclosing any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is no allegation of repeated blow by any of the accused persons. In the re-statement, the Informant has confined himself against only one person i.e. Mukhiya Paswan. The injured Manish Kumar, the younger brother of the injured Kanhaiya Pandit was examined by the police and he in his statement recorded before the police has stated the fact that one Mukhiya Paswan has assaulted the injured brother. There is a case and counter case between the parties lodged by the wife of the petitioner bearing SC/ST P.S. Case No. 76 of 2024. There is also a land dispute between the parties. The petitioner has no criminal antecedent and is languishing in judicial custody since 06.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that from the impugned order, it appears that the injury received by the injured Kanhaiya Pandey is grievous in nature



and is dangerous to life.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Birpur P.S. Case No. 248 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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