

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25238 of 2025

Arising Out of PS. Case No.-524 Year-2024 Thana- BIKRAM District- Patna

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1. Subodh Paswan S/O Parmanand Paswan @ Babunand Paswan @ Baua Nand Paswan R/O Village- Mahmadpur, P.S- Bikram, Distt.- Patna.
 2. Kundan Paswan @ Kunu Paswan S/O Parmanand Paswan @ Babunand Pasawan @ Baua Nand Paswan R/O Village- Mahmadpur, P.S- Bikram, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the very outset, learned counsel for the
petitioners prays for withdrawal of this anticipatory bail
application on behalf of petitioner no.1 as he has been arrested.

3. Permission is accorded.

4. Accordingly, this application is dismissed as
withdrawn on behalf of petitioner no.1.

5. Now, this application survives only for petitioner
no.2.

6. Petitioner no.2 apprehends his arrest in a case
registered for the offences punishable under Section 191 (2),



191 (3), 190, 126 (2), 115 (2), 118 (1), 109 and 352 of the B.N.S.

7. The allegation in the first information report is that all the accused persons named in the first information report dragged the informant from tempo and brought him in bamboo clamp and assaulted him in his head and mouth with bricks and stone with an intention to kill him due to which he became unconscious.

8. It is submitted by learned counsel for the petitioner that the parties are *Gotiyas/Pattidar* and there is *inter se* land dispute. It is further submitted that co-accused, Pappu Paswan had lodged one Bikram P.S. Case No.522 of 2024 against the informant and others and the same has been annexed as Annexure-2 to this application and the present case has been filed only as a counter blast of the said case in order to harass the petitioner. It would appear from the bail rejection order that there is no injury report on the record but the injury report is available along with the case diary and perusal of the same would show that the injury sustained by Satyendra Paswan is in the form of laceration and abrasion. However, no obvious bone injury has been seen and the doctor has opined it to be simple in nature caused by hard and blunt substance. In



view of the counter case and the injury report, learned counsel for the petitioner submits that no case under Section 109 of the B.N.S. is made out against the petitioner.

9. Learned APP for the State opposed the prayer for bail.

10. Taking into consideration the facts and circumstances of the case, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bikram P.S. Case No. 524 of 2024, subject to the condition as laid down under Section 482 (2) Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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