

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20958 of 2025

Arising Out of PS. Case No.-468 Year-2024 Thana- AMARPUR District- Banka

1. Subodh Paswan Son of Babu Lal Paswan Resident of Malda, P.S.- Shambhuganj, District - Banka.
2. Babu Lal Paswan Son of Late Singheshwar Paswan Resident of Malda, P.S.- Shambhuganj, District - Banka.
3. Amarjit Paswan @ Amarjit Kumar Son of Subodh Paswan Resident of Malda, P.S.- Shambhuganj, District - Banka.
4. Gulshan Paswan @ Gulshan Kumar Son of Sunil Paswan Resident of Malda, P.S.- Shambhuganj, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar Jha, Advocate
For the State	:	Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-07-2025 Heard Mr. Pranav Kumar Jha, learned counsel for the
petitioners and Mr. Umanath Mishra, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 468 of 2024, F.I.R. dated 14.07.2024 registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 381(2), 3(5) of B.N.S., 2023.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted the informant and his family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



the present case. He further submits that the allegations as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R., it appears that there is specific allegation against Subodh Paswan and Babulal Paswan that they have assaulted the informant's nephew Rahul Kumar with iron rod on his mouth and cheek and accused petitioner namely Gulshan Kumar and Amarjeet Paswan have assaulted the informant's brother namely, Ajay Das with lathi and danda. Although they have received injuries but the injury report of Rahul Kumar is reserved and as per injury report of Ajay Das, it appears that he has not received any injury and apart from that all the injury report of the injured persons reveals that all the injuries are simple in nature except Rahul Kumar which is reserved but it appears from the injury report of Rahul Kumar that he has received injury which is quoted below:

“(1) Lacerated wound size of 1.5 cm x ½ cm x ½ cm over chin.

(2) Lacerated wound size of 1.5 cm x 1 cm x ½ cm over lower lip.”

5. Learned APP for the State, on the other hand, has opposed the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against the petitioners that they have assaulted to the informant and his family members



and apart from that petitioner nos. 1, 2 and 4 carries one more case other than the present one and petitioner no. 3 having clean antecedent but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner nos. 1, 2 and 4 is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the injury inflicted upon the injured persons are simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 468 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate 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 on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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