

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24404 of 2025

Arising Out of PS. Case No.-340 Year-2023 Thana- MAHISHI District- Saharsa

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Babloo Paswan son of Parmeshwar Paswan village- Bisanpur, ps- Mahishi,
Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jata Shankar Jha, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr. Jata Shankar Jha, learned counsel for

the petitioner and Ms. Nirmala Kumari, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mahishi P.S. Case No. 340 of 2023, F.I.R. dated 25.12.2023 for the offences punishable under Sections 448, 341, 323, 354, 379, 427, 436, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, informant Kavita Devi alleges that on 23.12.2023 all the FIR named accused persons came to her house lashed with dangerous weapons and started beating her and her family members. Then the accused Babloo Paswan and Bido Paswan caught the hair of the informant and her daughter and brutally assaulted them, in



which they sustained injury. All the accused persons started abusing them and also snatched the valuables of Rs. 55,000/- and put burnt on her house in which her variables were burnt. On raising alarm nearby people gathered and the accused persons flee away. The informant also alleges that the accused persons took milk from her and didn't give her money due to which she lodged a case. Therefore a case was registered.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Although petitioner is named in the FIR and it appears from the FIR that due to some property dispute the present occurrence has taken place. Specific allegation against the petitioner that he assaulted to the informant and her daughter. Although they have received injury but injury report of the informant and daughter of the informant suggests that the injury is simple in nature. And apart from that, present FIR has been instituted after delay of two days.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner

6. Considering the aforesaid facts and circumstances,



the petitioner has clean antecedent and the injury is simple in nature, let the petitioner, above named, in the event of his 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Saharsa in connection with Mahishi P.S. Case No. 340 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Raj Ranjan/-

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