

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22412 of 2025

Arising Out of PS. Case No.-184 Year-2024 Thana- SINDHIYA District- Samastipur

Sushil Paswan @ Sushil Kr Paswan @ Ram Khaua S/o Kamal Kant Paswan
R/o Vill - Mahe P.S. - Singhia, Samastipur, Bihar-848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-05-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 118(2), 329(3), 303(2) of the B.N.S.S.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 17.10.2024 at about 9 A.M. while he was harvesting crop in his field when petitioner along with other accused came variously armed and they attacked the informant with an intention to kill him, as such the informant ran towards his house when he was followed by all the accused persons and the petitioner is alleged to have assaulted the uncle of the



informant with farsha causing injury in his left eye, accordingly the injured was taken to P.M.C.H. for treatment.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that informant and the petitioner are relative and they are having dispute relating to property. It is next submitted that no doubt there is specific allegation against this petitioner of assaulting the uncle of the informant by farsha causing injury in his left eye but then it is submitted that the uncle of the informant had an eye operation prior to the occurrence and the informant took the same as an opportunity to implicate the petitioner when an altercation on account of dispute relating to property took place in between them. It is also submitted that from side of the petitioner Singhia P.S. Case No.195/2024 has been instituted.

5. Learned A.P.P. for the State Mr. Chandra Bhushan Prasad opposes the prayer for anticipatory bail of the petitioner and submits that there is direct allegation against this petitioner of assaulting the uncle of the informant by farsha causing injury near his left eye. It is also submitted that it does not appear probable that had the petitioner been operated and thereafter he would have been admitted in P.M.C.H for treatment in that



event the doctor of P.M.C.H. would have opined that the petitioner has suffered injury. The learned APP fairly submits that the order impugned though records that the injured suffered injury but then does not record the nature of injury.

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 from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Singhia P.S. Case No.184/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the injury report of the uncle of the informant and in the event if it is found that the uncle of the informant suffered grievous injury in his eye, in that event, the provisional anticipatory bail shall not be confirmed but if it is found that the injury suffered by the uncle of the informant in his eye is simple in nature, in that event, the provisional anticipatory bail shall be confirmed



forthwith.

(Satyavrat Verma, J)

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