

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24542 of 2025

Arising Out of PS. Case No.-639 Year-2024 Thana- FORBESGANJ District- Araria

Dinesh Paswan Son of Harilal Paswan Resident of Village - Chaura Parwaha,
Ward No.- 14, Police Station - Forbesganj, District - Araria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate

For the State : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-05-2025 Heard Mr. Kumar Ravish, learned counsel for the
petitioner and Mr. Nirmal Kumar Sinha, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 639 of 2024 for the offence registered under Sections 329 (3), 126 (2), 115 (2), 118 (1), 109, 303(2), 352, 351, 3(5) of the B.N.S., 2023 lodged on 15.10.2024 by the informant Tuntun Kumar .

3. As per the prosecution story, the informant, Tuntun Kumar alleged that he heard certain noise and found his father who is aged and retired watchman, being abused by the petitioner and his sons beside the wife/daughter. As he tried to pacify them, the allegation is that this petitioner extorted whereafter, Nitish and Satish assaulted them. While allegation is that Satish Paswan caught hold of him, Nitish Paswan attacked with the knife causing deep injury in the neck that caused excessive bleeding. As the family members rushed to the spot, they escaped. The allegation of



taking away Rs.10,000/- is also there. This led to the FIR.

4. Though learned counsel for the petitioner tried to impress upon this Court that the role of order giver is upon this petitioner, actual assault was made by the two sons who are already under custody.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the petitioner is the author of the entire episode as only because of him, his sons are not behind the bar.

6. Taking into account the aforesaid facts that show that the allegation that has come against him which followed the serious injury to his own brother, certainly, he is not entitled for anticipatory bail.

7. This anticipatory bail application stands rejected.

8. If, however, the petitioner surrenders within four weeks from today, the Court further shall take up the matter and dispose it of temporarily on the same day without being influenced by the order.

(Rajiv Roy, J)

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