

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26401 of 2025

Arising Out of PS. Case No.-247 Year-2024 Thana- SIKANDRA District- Jamui

Banarsi Paswan S/o Janardan Paswan R/o Vill.- Dhadhaur, P.S. - Sikandra,
District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2025 Heard Mr. Pramod Kumar, learned counsel for the
petitioner and Mr. Syed Ehteshamuddin, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sikandra P.S. Case No. 247/2024, dated 26.07.2024 registered for the offences punishable under Sections 191(2), 126(2), 115(2) and 109 of the BNSS.

3. The prosecution case, in short, is that on 25.7.2024 at about 5 P.M. when the informant went to her field, she saw the goat of Banarsi Paswan grazing her crops. Upon query, the daughter of the petitioner namely Prity Kumari arrived and abused the informant and when the informant objected, the petitioner along with other accused persons, named in the F.I.R., arrived there armed with iron



rod, *lathi* and *danda* and assaulted the informant. The petitioner has been specifically alleged to have assaulted the informant by means of iron rod due to which the informant sustained injury on her head. Later on, local people came and saved the informant from further assault and they took the informant to PHC Sikandra for treatment. According to the informant, the accused persons are inhabit of destroying her crops through their goat and also the son of the petitioner used to threaten the informant on phone.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Learned counsel for the petitioner further submits that co-accused Prity Kumari, Shivani Kumari @ Shivani Devi, Girja Devi, Ramchandra Paswan @ Charitar Paswan and Kunti Devi have been granted the privilege of anticipatory bail by the learned court below itself. It appears from the F.I.R. that due to some petty dispute, the occurrence had taken place. Although, the petitioner is neighbour of the informant. The informant has received injuries, but the injury report of the informant suggests that all the injuries inflicted upon the informant are simple in nature.



5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid fact, the petitioner has clean antecedent, the injury inflicted upon the injured person is simple in nature and other co-accused persons have been granted bail by the learned court below itself, 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 learned Judicial Magistrate, 1st Class, Jamui in connection with Sikandra P.S. Case No. 247/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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)

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