

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28748 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- Amhara District- Lakhisarai

Kapil Paswan Son of Chariter Paswan R/S Vill- Jhakhar,P.S.- Amhara,
District- Lakhisararai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner as well as
counsel for the respondent-State.

2. This is the first anticipatory bail application preferred by the petitioner to apprehend his arrest in connection with Amhara P.S. Case No. 7 of 2025 registered for the offences punishable under Section 127(1), 126(2), 109, 74, 352, 351(2), 3(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. According to the case of prosecution, on 24.01.2025 at about 02:00 P.M., the informant Siyaram Kumar went to open his shop allegedly, the present applicant along with other co-accused Mithun Kumar reached there and a dispute took place between both the parties and at that time, it was alleged that the accused persons misbehaved the wife of Siyaram Kumar and also assaulted Siyaram Kumar with one



iron hathori and due to that he sustained injuries on his head. On the basis of report made by Siyaram Kumar offences has been registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and is falsely implicated in this case due to some family dispute. He further submits that the informant is the brother of the petitioner and there is a dispute pending between both of them. Further, referring to the injury report i.e. Annexure- P/2 of Siyaram Kumar he further submits that as per the information given by the doctor the injuries sustained by Siyaram Kumar are all simple in nature. Therefore, no offence under Section 109 of B.N.S.S. is made out against the petitioner. Since, there is a family dispute and no any previous antecedent of the applicant on these grounds, he prays that the petitioner may be granted benefit of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the submissions put forth by both the counsels and particularly considering the nature of injuries sustained by the informant, I am of the view that it is a fit case where the petitioner should be granted the benefit of anticipatory bail. Accordingly, the petition is allowed. The



petitioner is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Lakhisarai in connection with Amhara P.S. Case No. 7 of 2025 subjects to the conditions as laid down under Section 482 of the Bharatiya Nagarik Suraksha Sanhita.

(Arvind Singh Chandel , J)

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