

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27279 of 2025

Arising Out of PS. Case No.-24 Year-2023 Thana- KHIJARSARAI District- Gaya

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1. Lalan Paswan S/o Late Balkeshwar Paswan R/o - Dharam Bigha, Chiraili, P.S - Khizarsari, District - Gaya, Bihar
 2. Rakesh Paswan @ Rajesh Kumar S/o Lalan Paswan R/o - Dharam Bigha, Chiraili, P.S - Khizarsari, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Princy Raj, Advocate
	:	Ms. Prachi Raj, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-05-2025 Heard Ms. Princy Raj and Ms. Prachi Raj, learned counsels for the petitioners and Mr. Jitendra Kumar Singh, learned counsel for the State.

2. The petitioners are apprehending their arrest in connection with Khizarsari P.S. Case No.24 of 2023 for the offence under sections 147, 341, 323, 325, 379, 504 of the I.P.C. lodged on 17.01.2023 by the informant, Siyamani Devi.

3. As per the prosecution story, when the informant was feeding grass to her buffalo, the accused persons came, abused and then assaulted the informant causing injuries. The allegation is that they gave bricks/lathi blow and further Ravi Paswan assaulted by lathi causing injury on her head. As on her



scream, when the mother-in-law came to save, Dharmendra Paswan gave iron rod blow causing injury. The further allegation is of taking away '*Jitiya*' by Lakshuman Yadav and and Awadhesh Paswan. As the local came, they escaped and the injured were shifted to the hospital. This led to the FIR.

4. Learned counsels for the petitioners submit that a perusal of the FIR would show that main allegation is against Ravi Paswan for giving lathi blow causing injury on the head of the lady. Further, allegation is of removing '*Jitiya*' is on Lakshuman Yadav and Awadhesh Paswan. The omnibus allegation of assaulted is against these two petitioners, but the injury report shows only injury on the head attributed to Ravi Paswan.

5. Learned APP opposes the prayer submitting that though omnibus, the allegation of assault is on them.

6. Taking into account the submissions of the parties as also that the main role has been attributed to Ravi Paswan, Lakshuman Yadav and Awadhesh Paswan, omnibus allegation is against these petitioners, they have no criminal antecedent, in this background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event



of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.-IV, Gaya, in connection with Khizarsari P.S. Case No. 24 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of their bail bonds.

8. Before parting, this Court would like to put on record its word of adjudication for Ms. Princy Raj and Ms. Prachi Raj for the assistance rendered in the matter.

(Rajiv Roy, J)

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