

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28950 of 2025

Arising Out of PS. Case No.-490 Year-2024 Thana- BABUBARHI District- Madhubani

Jitendra Paswan Son of Late Chhathu Paswan @ Chotu Paswan Resident of
village - Kharagbani, P.S.- Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 07-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Babubarhi P.S. Case No. 490 of 2024 instituted for the offences under Sections 191(2), 329(3), 115(2), 126(2), 303(2), 118(1), 109, 352, 76 of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the specific accusation against the petitioner is of assaulting the Informant's father-in-law on his head by means of *farsa* with an intention to kill him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. There is an admitted land dispute between the parties. There is a case and counter case between the parties. It is further submitted that in the alleged occurrence, both the parties have sustained injuries. Learned counsel for the petitioner further states that there is no allegation of repeated below against the petitioner and the injury sustained by the injured is simple in nature. The petitioner has one criminal antecedent as has been stated in supplementary affidavit filed on behalf of the petitioner and is languishing in judicial custody since 07.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 191(2), 329(3), 115(2), 126(2), 117(1), 118(1), 109(1), 352/74 of the Bhartiya Nyaya Sanhita, 2023.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case



as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babubarhi P.S. Case No. 490 of 2024.

(Rudra Prakash Mishra, J)

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