

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31131 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- PALANWA District- East Champaran

Ram Pujan Prasad @ Ram Pujan Srivastava S/o Late Satya Narayan Lal
Resident of Village - Pakhnaahiya, P.S. - Panalwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard Mr. Madhurendra Kumar, learned Advocate for

the petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Palanwa P.S. Case No. 193 of 2024, registered for the
offences punishable under Sections 115(2), 118(1), 109, 352,
351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. Allegedly, on the fateful day, in course of
construction work at the house of the petitioner, the husband of
the informant came in contact with electric wire and received
burn injuries. It is further alleged that the husband of the
informant had been working under the Contractor namely,
Jitendra Paswan and Ram Chandra Paswan and there was
outstanding dues of Rs. 85000/-, but despite demand being



made, the Contractor refused to pay the same and also abused the husband of the informant.

4. Learned Advocate for the petitioner taking this Court to the FIR contended that admittedly the petitioner is the land owner and the construction work was carried out through the Contractor; moreover, it has not been surfaced as to whether the husband of the informant got injuries on account of his negligence or otherwise. The entire allegation of non payment of outstanding dues has been levelled against the Contractor. So far the petitioner is concerned, after such incident he came out with good gesture and compassion and borne the expenses of treatment of the informant's husband. It is further contended that though the occurrence took place on 31.10.2024 but the FIR came to be lodged on 26.12.2024, i.e., after a delay of 56 days. The petitioner is a man of fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that it is the admitted position that the husband of the informant sustained burn injuries in course of construction work at the house of the petitioner.

6. Considering the materials available on record and the delay in lodging of the FIR and the fact that the work being



carried out under the Contractor, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Raxaul, East Champaran, Motihari in connection with Palanwa P.S. Case No. 193 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions

(i) that the petitioner shall pay an amount of Rs.10,000/- to the informant at the time of furnishing bail bonds and;

(ii) that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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