

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34675 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- LODIPUR District- Bhagalpur

1. Anil Paswan S/O Late Sukhdeo Paswan R/vill.- Bishanpura Jichho, PS-Lodipur, Dist.- Bhagalpur
2. Jitendra Paswan S/O Pradeep Paswan R/vill.- Bishanpura Jichho, PS-Lodipur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Lodipur P.S. Case no. 21 of 2025 for the offence registered under sections 126(2), 115(2), 110, 324(4), 352, 351(2) and 3(5) of the B.N.S. lodged on 03.02.2025 by the informant Kavita Devi.

3. As per the prosecution story, the informant alleged that on an issue of uprooting the hand pump, the accused persons named here assaulted her. Allegation against the Anil Paswan of using 'khanti' on her head causing injury while Jitendra Paswan outrage her modesty. This led to the FIR.



4. Learned Counsel for the petitioners submit that allegation of assault is on Anil Paswan, however the injury has been found to be simple in nature as has been observed by the learned Sessions Judge, so far as Jitendra Paswan is concerned it appears from the FIR that he has outraged her modesty. Both the petitioners have no criminal antecedent. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of rs. 10,000/- each (total twenty thousand rupees) through demand draft issued by the local state bank of india branch to be submitted before the 'nazarat' of concerned court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation of assault is on the petitioner no.1.

6. Considering the submissions of the parties and also the petitioners have no criminal antecedent, though the allegation of assault is on petitioner no.1 but the learned Sessions Judge's would show that the injury is simple in nature, in that background, this Court is inclined to grant them the



anticipatory bail with conditions subject to payment of Rs. 10,000/- each (total twenty thousand rupees) to Kavita Devi as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bond bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned learned S.D.J.M., Bhagalpur in connection with Lodipur P.S. Case No. 21 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *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



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 the bail bonds.

(Rajiv Roy, J)

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