

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34010 of 2025

Arising Out of PS. Case No.-138 Year-2023 Thana- ANDHRATHARHI District- Madhubani

Azad Kumar Paswan @ Azad Paswan S/O Devendra Paswan Resident of
village- Rajanpura, PS- Andharatharhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Adv.
For the Opposite Party/s : Mr.Anant Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Andhrathadi/Andharatharhi P.S. Case No.138 of 2023 registered for the alleged offences under Section 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

03. As per prosecution case, petitioner along with other co-accused persons in inebriated condition making an unlawful assembly and armed with sharp weapons assaulted the members of a committee formed to organize Vishwakarma Puja. The co-accused persons stabbed a number of persons and allegation against this petitioner and co-accused Nitish Paswan is that they assaulted Raushan Paswan, Rajdeo Paswan and Amarjeet Paswan

with a chain of motorcycle causing a number of injuries to them.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The falsity of allegation is apparent from the fact that there is no injury report of the three victims allegedly assaulted by this petitioner and co-accused Nitish Paswan. Though injury reports of Rajkumar Paswan and Rakesh Paswan is available on record but allegation of assault on them is on other co-accused persons. Except for the allegation for causing injury in the FIR to Raushan Paswan, Rajdeo Paswan and Amarjeet Paswan there is no further allegation on this petitioner. The petitioner has been working in a private company in Gujarat and he was not present at the time of alleged occurrence. The petitioner is having no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner and further considering absence of any injury on the victims allegedly inflicted by this petitioner and also considering possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released

on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned JMFC, Jhanjharpur in connection with Andhrathadi/Andharatharhi P.S. Case No.138 of 2023, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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