

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36847 of 2025

Arising Out of PS. Case No.-64 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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Sujeet Paswan Son Of Rajdev Paswan Village-Hasanpur Ps-Kundwa
Chainpur District-East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 379, 504, 506, 188, 269, 370, 271 of the Indian Penal Code, Section 3 of the Epidemic Disease Act and Section 51 of Disaster Management Act.

3. As per the prosecution case, on 11.04.2020, during the period of lock down, informant saw fire near a pond and the flames were moving towards his house. Upon this, he raised a hue and cry, and the public gathered, after which the fire was extinguished. Thereafter, Sukhari Mahto came and told the informant why he had extinguished the fire. The informant tried to make him understand but Sukhari Mahto abused him



and threatened to set fire to his house and commit murder of all. It has been alleged that the petitioner, along with other accused persons have violated the norms of the lockdown, and Hari Om Paswan and Sujeet Paswan (petitioner) armed with iron rod assaulted the son of the informant, namely, Sanjay Pandit.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence, and he has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is further submitted that from a perusal of the F.I.R., no specific allegation is levelled against the petitioner; rather, the allegation is that co-accused Hari Om Paswan and Sujeet Paswan (petitioner) alleged to have assaulted the son and wife of the informant and also snatched articles which the wife of the informant was wearing at the time of incident. It is next submitted that case diary was called for in this case, according to the injury report which is prepared with regard to the injured persons by the treating doctor, the injuries of the injured persons are simple in nature though it is said to have been caused by hard and blunt substance. Petitioner has no criminal antecedent.

5. Learned APP for the State has appeared and has vehemently opposed the prayer for grant of anticipatory bail but



does not rule out the fact that despite two persons, including the petitioner, being armed with iron rod assaulted the son of the informant but no specific overt act is alleged with respect to the petitioner in question. It is further submitted that during COVID-19 period, the fire extinguished by the informant is the sole reason for scuffle, which is said to have been taken place between the parties.

6. Considering the fact that there is no specific allegation against the petitioner and the injuries of the injured persons are simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Sikarahna at Dhaka, East Champaran, Motihari/Successor Court in connection with Kundwa Chainpur P.S. Case No.64 of 2020, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Ajit Kumar, J)

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