

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38716 of 2025

Arising Out of PS. Case No.-20 Year-2024 Thana- JAGDISHPUR District- Bhagalpur

Ranjan Kumar @ Ranjan Kumar Paswan Son of Late Narayan Paswan R/O
Village- Chandpur, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner seeks bail in connection with Jagdishpur P.S. Case No. 20 of 2024, instituted for the offences under Sections 342, 323, 307, 302 and 34 of the IPC.

3. As per the prosecution case, the informant has alleged that she came to know that her son was lying in an unconscious condition on the street. It is further alleged that the informant's son was taken to Mayaganj Hospital for treatment, wherefrom the doctor has referred him to Patna but they proceeded to Siliguri but during treatment, the informant states that her son had regained consciousness and had disclosed that all the accused persons including the petitioner had assaulted him and left him at the street.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated as an afterthought. The date of occurrence is 07.01.2024 and the FIR was lodged on 17.01.2024 without any explanation for the delay. It has further been submitted that the son of the informant was taken to Mayaganj Hospital at the first instance. However, no statement was recorded about the occurrence at Mayaganj Hospital or at Siliguri. There is no document on record to suggest that the son of the informant was taken to Mayaganj Hospital prior to Siliguri.

5. It has further been submitted that there is no eye witness to the occurrence and the petitioner, as an afterthought, has been named and alleged to have assaulted the son of the informant. However, the allegation of assault is again falsified from perusal of the post-mortem report, wherein, according to the opinion, the injuries though were grievous to life in ordinary course of nature and caused by hard and blunt object but the ante-mortem injuries referred were not on any vital part of the body.

6. The learned counsel for the petitioner next submits that the allegation of the informant that her son had taken the name of the petitioner and others is again falsified from the fact that the police had recorded in paragraph -6 of the case diary



that the injured was not able to give his statement.

7. It has thus been submitted that the petitioner has falsely been implicated out of personal grudge and there is no evidence to connect the petitioner with the present incident.

8. It has lastly been submitted that the petitioner has clean antecedent and is in custody since 22.01.2025.

9. The learned APP has vehemently opposed the prayer for bail and has stated that the petitioner is the main accused and it was on the statement of the son of the informant that the petitioner has been named, which can be treated as dying declaration.

10. Considering the aforesaid submission and taking into account that there is no eye witness to the occurrence and the statement of the informant was recorded after ten days of the occurrence naming the petitioner is not being corroborated by the materials collected during the investigation, the petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 20 of 2024, subject to the 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;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned; and

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

11. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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