

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40851 of 2025

Arising Out of PS. Case No.-235 Year-2025 Thana- DAUDNAGAR District- Aurangabad

Gyani Paswan @ Gayani Paswan, aged about 50 years, Male, son of Late Radhekishun Paswan @ Late Rade Kishun Paswan, Resident of Village- Anchha, P.S.- Daudnagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Daudnagar P.S. Case No. 235 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 3(5) and 303(2) of the B.N.S., 2023.

3. As per the prosecution case, all the accused persons armed with deadly weapon entered into the house of the informant and assaulted him and his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that nine persons including the petitioner have been alleged to have assaulted five persons of the informant's family. Except the



aforementioned allegation, nothing has been alleged against the petitioner and no any cogent material is on record to implicate the petitioner in the alleged occurrence. He further submits that petitioner has not assaulted the informant or his brother. He next submits that there is case and counter case attributed between the parties and both sides sustained injuries. He lastly submits that the injuries are simple in nature cause by hard and blunt substance. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 07.04.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, injury report and impugned order of the learned District and Additional Sessions Judge, 1st-cum-Special Judge (SC/ST, N.D.P.S. & Children Act), Aurangabad, Bihar dated 30.05.2025, it appears that on the basis of written report of the informant namely Nanhe Dayal Kumar, FIR has been registered under Sections 126(2), 115(2), 117(2), 109, 3(5) and 303(2) of the B.N.S., 2023 against nine accused persons including the present petitioner and the allegation is that the petitioner entered into the house of the informant and assaulted him and his family members with deadly weapon. From the injury report, it also appears that the injuries found on Manju Devi is of lacerated wound on head of



size 3"x1"x skin depth and the opinion is that the injuries are simple in nature caused by hard and blunt substance. The injuries on Sindhu Kumari is of lacerated wound on forehead size 1 1/2" x2"x skin depth and the opinion is simple in nature caused by hard and blunt substance. The injury on Sudhir Kumar is of lacerated wound on head parietal region of size 5"x2" skin depth and the opinion is that the injuries are simple in nature caused by hard and blunt substance. The injuries on Manoj Kumar is of lacerated wound on head of size 3"x2" skin depth and the opinion is that the injuries are simple in nature caused by hard and blunt substance. The injuries on Arun Kumar is of abrasion in left middle finger of size 1"x1/4"x Superficial and the opinion is that the injuries are grievous in nature caused of hard and blunt substance due to fracture in 3rd proximal phalanx. The injuries reports states that out of five persons only one person has sustained grievous injury and rest others have sustained simple injuries and no any repeated blow found on their bodies and the injuries are simple in nature caused by hard and blunt substance, so considering all these aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, Bihar in connection with Daudnagar P.S. Case No. 235 of 2025.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

