

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42710 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- BARBIGHA District- Sheikhpura

1. Gorelal Paswan S/o- Late Harinandan Paswan Village- Rajaura Ps- Barbigha Dist- Sheikhpura
2. Laxmi Devi W/o- Gorelal Paswan Village- Rajaura Ps- Barbigha Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Barbigha P.S. Case No. 68 of 2024 for the offence under Sections 191(2), 191(3), 126(2), 115(2), 109(1), 117(2), 303(2), 75, 352 and 351(3) of the BNS.

3. As per the prosecution story, the informant has alleged that on 21.03.2025, at about 05:00 PM, when she was sitting near her house, at that time all the F.I.R. named accused persons armed variously came there. It is further alleged that petitioner no. 1 namely, *Gorelal Paswan* assaulted the informant on her head due to which she became unconscious and



petitioner no. 2 namely, *Laxmi Devi* assaulted *Asha Devi* by means of *lathi* on her hand due to which her hand got fractured.

4. Learned counsel for the petitioners submits that both the petitioners are quite innocent and have committed no offence as alleged in the F.I.R. rather they have falsely been implicated in this case. From bare perusal of the impugned order it is evident that petitioner no. 2 namely, *Laxmi Devi* assaulted to *Asha Devi* by means of Lathi, due to which her hand was broken, but it is not on the vital part of the body. Learned counsel further submits that both the parties were co-villagers and there was dispute between them due to quarrel of children. Due to dirty village politics and minor dispute, the informant has lodged a false case against the petitioners and the entire co-sharer. Both the petitioners have clean antecedent.

5. Learned APP opposes the prayer for bail.

6. During course of argument, learned counsel for the petitioners submits that there is no allegation of repetition of assault. In the F.I.R., the allegation levelled against petitioner no. 1 namely, *Gorelal Paswan* is to assault on the head of informant, the injury has been found simple in nature which is reflected in the impugned order and allegation against petitioner no. 2 namely, *Laxmi Devi* is that she assaulted *Asha*



Devi by means of *Lathi* due to which her hand got fractured. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sheikhpura, in connection with Barbiga P.S. Case No. 68 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) if the petitioners tampers with the evidence or threatens the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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