

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44299 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- JAHANABAD District- Jehanabad

1. Pawan Kumar S/o Shyamdev Paswan @ Samdev Paswan R/o Village- Makhdumpur, P.S- Jehanabad Town, Distt.- Jehanabad.
2. Vineshwar Paswan S/o Jadunandan Paswan R/o Village- Makhdumpur, P.S- Jehanabad Town, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Digvijay Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 17-10-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Jehanabad Town P.S. Case No. 205/2025 registered for the offence punishable under Sections 126(2), 115(2), 352, 110 and 117 (2) of BNS.

3. As per the allegation made in the F.I.R., the petitioners along with other co-accused with an intention to kill assaulted the informant. Petitioner no.1 is said to have assaulted the informant on his head by means of lathi causing grievous injury, whereas petitioner no.2 is said to have assaulted him by means of iron rod causing fracture in his hand.



4. Learned counsel appearing on behalf of the petitioners submitted that so far as the allegation against petitioner no.1 is concerned, while celebration of Holi was going on, the petitioner no.1 went to colour the informant, but he refused and he fell down on hard surface causing head injury. So far as petitioner no.2 is concerned, he has also not assaulted the informant in any manner rather the informant having become imbalance, his hand was also broken while he fell down on the hard surface. The circumstance reveals that the petitioners have been falsely implicated in the case.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties and having perused the F.I.R. and the impugned order, I find that so far as petitioner no.1 is concerned, specific allegation is against him that he had assaulted the informant by means of lathi causing head injury which is grievous in nature, I am not inclined to enlarge the petitioner no.1 Pawan Kumar on bail. He may surrender before the learned District Court and seek regular bail. Considering that the petitioner no.1 has just emerged as an adult, the learned District Court may consider the bail application of the petitioner



no.1 on the same day, which requires to be decided on the basis of the material which has surfaced in course of inquiry.

7. So far as petitioner no.2 Vineshar Paswan is concerned, he is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Jehanabad in connection with Jehanabad Town P.S. Case No. 205 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner no.2 and if it is found that the petitioner no.2 is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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