

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46079 of 2025

Arising Out of PS. Case No.-239 Year-2022 Thana- SHERGHATI District- Gaya

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Kuleshwar Paswan S/o Late Mahjar Paswan R/o Village- Baheri, P.S.-
Sherghatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms.Swati Parmar, Advocate
	:	Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s	:	Ms.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-07-2025 Heard Ms.Swati Parmar, learned counsel for the

petitioner and Ms.Renu Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sherghati P.S. Case No.239 of 2022, FIR dated
19.03.2022 registered for the offences punishable under
Sections 147,323,325,307,354(B) and 427 of IPC.

3. Allegation against the petitioner is that he along
with other co-accused persons armed with deadly weapons came
at the house of informant and assaulted him and his family
members as a result of which Bhabhi received head injury and
Kavita Devi, Pinki Devi having bad intention torn the blouse of
the informant's wife.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya connection with Sherghati P.S. Case No.239 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that 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/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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