

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47559 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- MURLIGANJ District- Madhepura

Rishav Ranjan @ Gultan Kumar S/o Anil Kumar Paswan R/o Village-
Murliganj Ward No. 11, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the State : Mrs. Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-07-2025 Heard Mr. Uday Chand Prasad, learned counsel for

the petitioner and Mrs. Pushpa Sinha-1, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Murliganj P.S. Case No. 35 of 2023, F.I.R. dated 28.01.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 354B, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along with other co-accused persons assaulted to the informant by lathi blow on his head due to which he sustained head injury and when his Bhabhi came to save, she was dragged by accused persons by catching her hair.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. Although, petitioner is named in the F.I.R. and from a bare perusal of the F.I.R. 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 13 named accused persons and 40-50 unknown persons in the F.I.R. He further submits that similarly situated co-accused person person, namely, Anil Kumar Paswan @ Anil Paswan has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 71641 of 2024, another co-accused person person, namely, Ramesh Paswan @ Ganesh Paswan and others have been granted the privilege of anticipatory bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 14071 of 2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act attributed against the petitioner and similarly situated co-accused persons have been granted the privilege of anticipatory



bail by this Court or by a Coordinate Bench of this Court, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhepura in connection with Murliganj P.S. Case No. 35 of 2023, 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 :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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



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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