

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57529 of 2024**

Arising Out of PS. Case No.-364 Year-2023 Thana- GHORASAHAN District- East
Champaran

Ramnivas Paswan @ Ramnivas Kumar Son of Kishori Paswan R/O Vill.-
Balapur, P.S.- Ghorasahan, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

8 19-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Ghorasahan P.S. Case No. 364 of 2023 dated
21.06.2023 registered for the offences punishable u/ss 341, 323,
324, 504, 506 read with Section 34 of the Indian Penal Code and
later on, Section 307 of the Indian Penal Code was added

3. As per the prosecution case, when the informant
was working at his field then the petitioner and the co-accused
persons armed with spade, hasua and bamboo came there and
started abusing the informant. On being objected by the
informant, the co-accused, Kishori Paswan assaulted the
informant with spade, due to which he received injury on his



head and fell down on the ground. When the informant's son came to rescue him, the petitioner assaulted him with spade due to which he received injury on his head. The co-accused, Phudeni Devi assaulted the informant's wife with bamboo on her back. On hulla, villagers came then all the accused persons fled away. Thereafter, the injured was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that there is no repetition of blow and the petitioner had no intention of causing death. The petitioner has clean antecedent as stated in para 3 of the bail petition. The co-accused person has already been granted regular bail by this Court vide order dated 02.07.2024 passed in Cr. Misc. No. 43254 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the allegation against the petitioner that he assaulted the son of the informant with spade on his head. The injury report of the injured Pawan Kumar is mentioned in para-



19 of the case diary, where he sustained incised wound on left side scalp measuring .06 cm x 1/8 x muscle deep which is on vital part of the body.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari in connection with Ghorasahan P.S. Case No. 364 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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