

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56903 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- DALSINGHSARAI District- Samastipur

1. Ram Sagun Paswan S/o Late Prabhu Paswan R/o Village- Pand @ Par, Ward No. 8, P.S.- Dalsinghsarai, District- Samastipur
2. Rabin Paswan S/o Shiv Narayan Paswan R/o Village- Pand @ Par, Ward No. 8, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-08-2025 Heard Mr. Lakshmindra Kumar Yadav, learned Counsel for the petitioners and Mr. Rana Randhir Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Dalsinghsarai P.S. Case No. 28/2025 for the offence registered under sections 126(2), 127(2), 115(2), 109(1), 352, 351(2), 3(5) of the BNS, 2023 lodged on 28.01.2025 by the informant, Ramdayal Ray.

3. As per the prosecution story, the informant alleged that his nephew was residing with his family and running a cloth shop. On the date of occurrence, as he opened the shop, accused persons were fighting with each other and when he tried to



intervene, allegation is that Bablu Paswan gave iron rod blow on Chandan, as he fell down, the other accused persons also assaulted. This led to the FIR.

4. Learned Counsel for the petitioners submit that main role has been attributed to Bablu Paswan, only allegation of giving fist and slap is there, the injury has been found to be simple in nature and further without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 2,500/- each (totaling Rs. 5,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though main allegation is against Bablu Paswan, they also assaulted.

6. Considering the submissions of the parties as also the fact that the injury has been found to be simple in nature, the petitioners have no criminal antecedent, main role is attributed to Bablu Paswan, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to



payment of Rs. 2,500/- each (totaling Rs. 5,000/-) to the informant as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Dalsinghsarai, District-Samastipur in connection with Dalsinghsarai P.S. Case No. 28/2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate to be



submitted to the Court;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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