

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65876 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. Sanjay Paswan, aged about 43 years, male, S/O Lakhichandra Paswan,
 2. Prince Kumar, aged about 21 years, male, S/O Sanjay Paswan,
 3. Krishna Devi, aged about 40 years, female, W/O Sanjay Paswan,
All R/O Village- Aashinpur, P.S.- Muffassil Samastipur, Distt.- Samastipur.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Samastipur Muffasil PS Case No.16 of 2025 dated 09.01.2025,
instituted under Sections 126(2), 115(2), 303(2), 118, 352,
351(2), 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The allegation against the petitioners is that they
along with Bittu Kumar @ Gabaru assaulted the informant by
iron rod. Specific allegation against petitioner no.1, Sanjay
Paswan, is that he assaulted the informant by means of
“*Pagharia*”, a sharp cutting weapon on the head which hit on
the upper back side of the head. It is also alleged that petitioner



no.1 took rupees ten thousand from the pocket of the informant and a gold chain.

4. Learned counsel for the petitioners submits that there is specific allegation against petitioner no.1 that he assaulted with “*Pagharria*”, a sharp cutting weapon. Petitioner no.2, who is the son of the petitioner no.1, is alleged to have assaulted the informant by iron rod. Petitioner no.3 is the wife of the petitioner no.1. All the family members have been made accused in this case. Further, it is submitted that the injury report of the injured informant does not show that he has sustained any injury from sharp cutting weapon. It is also submitted that except Sections 303(2) and 118 of the *Bharatiya Nyaya Sanhita*, all other sections are bailable and triable by the Magistrate. It is also submitted that petitioner nos. 2 and 3 have no criminal antecedents, whereas, petitioner no.1 has one criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned ACJM-II, Samastipur, in Samastipur Muffasil PS Case No.16 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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