

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66643 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- MUSAHARI District- Muzaffarpur

Raj Kishore Paswan S/o- Lakhindra Paswan Resident of village- Nayagaon
PS- Mushahari District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Muskan Singh, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, A.P.P.
For the Informant	:	Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-11-2025 Heard learned counsel for the petitioner, informant
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Musahari P.S. Case No. 103 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 103(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. On the fateful day, while father of the informant was at his Bathan, in the meanwhile, all the FIR named accused persons, including this petitioner came there and started abusing. When father of the informant objected for the same, all of them brutally assaulted him with fists and slaps. It is alleged that due to assault being made on the lower side of his belly, his father sustained serious injury and later on, he was thrown



nearby the bush and when mother and sister went to rescue him, then the father disclosed about the incidence.

4. Learned counsel for the petitioner submits that both parties are agnates and due to land dispute, this petitioner has falsely been implicated in this case. Informant is not an eye witness to the alleged occurrence and on the disclosure made by his father, the present FIR came to be instituted; moreover there is no specific allegation against the petitioner of causing any hurt. The allegation of causing hurt over the belly and it's lower side also does not corroborate with the postmortem report, which has been fully discussed in the impugned order and the doctor has opined that there was linear feature measuring 1" length over the right parietal bone of skull and soft tissue were deeply contused underneath the skull of right side and the injury was caused by hard and blunt object. The postmortem report clearly falsifies the prosecution case. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by co-ordinate Bench of this Court *vide* order dated 17.09.2025 passed in Cr. Misc. No. 66583 of 2025. Petitioner claims clean antecedent and is in custody since 17.05.2025. Charge-sheet has already been submitted.



5. However, learned A.P.P. for the State as well as learned counsel of the informant vehemently opposed the bail application.

6. Considering nature of accusation, materials available on record and period of custody, the petitioner, above named, is directed to 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Musahari P.S. Case No. 103 of 2025.

(Prabhat Kumar Singh, J)

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