

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66996 of 2025

Arising Out of PS. Case No.-231 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Raju Paswan, Son of Bharos Paswan @ Bharosh Paswan, Resident of Village
- Rahmatpur, P.S. - Muffasil Samastipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Samastipur Muffasil P.S. Case No. 231 of 2025, dated
27.05.2025, registered under Sections 126(2), 115(2), 324(4),
118(1), 76, 109, 352, 351(2), 3 (5) of the B.N.S.

3. The prosecution case, in brief, is that on 25.05.2025
at about 5 PM while she was cleaning the front of her house,
accused Raju Paswan and Rajgir Paswan stopped there and
started hurling abuses at her and also did obscene acts. It is
further alleged that when she protested then Raju Paswan started
assaulting her and dragged her on the ground by holding her



hair, due to which she got semi naked. Upon hearing the hue and cry her husband Kamlesh Paswan came there but he was also assaulted by the accused Raju Paswan and Rajgir Paswan. It is subsequently alleged that again at around 10:30 PM in the night, apart from the above two accused persons 4 others namely Lalwa Paswan, Akhilesh Paswan, Karia Paswan and Aklu Paswan came inside their house by climbing the roof. It is further alleged that accused Raju Paswan put his hand on her body due to which she woke up and started shouting. Thereafter, her husband also woke up and started shouting. It is then alleged that accused Raju Paswan took out a pistol and put it on the head of the husband of the informant, due to which they stopped shouting. It is further alleged that thereafter accused Karia Paswan ordered everyone to outrage her modesty, pursuant to which accused Akhilesh Paswan grassed her so she started shouting. It is then alleged that when her husband came to rescue her, then that accused Raju Paswan threw a sharp object at the head of her husband, resulting bleeding injury on the arm and he became unconscious and fell on the ground. Thereafter, she took her husband to Sadar Hospital, Samastipur.

4. Learned counsel for the petitioner submitted that there are altogether six accused persons in this case, out of which five co-accused persons have been extended privilege of anticipatory



bail by the learned court below itself. The only reason for not extending the privilege of anticipatory bail to this petitioner is owing to certain allegations of overtact against the husband of the informant. On examination of injuries by the treating Doctor, opinion is said to have been kept reserved. Registration of F.I.R. against the accused persons for unexplained delay of 40 hours is suggestive of false and concocted story against the petitioner. Nature of allegation, which is levelled against all the petitioners are highly improbable.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the nature of injuries sustained by the injured persons does not co related with the allegations mentioned in the F.I.R., five co-accused persons have been extended privilege of anticipatory bail by the learned court below itself, nature of allegation, which is levelled against all the petitioners are highly improbable and registration of F.I.R. against the accused persons for unexplained delay, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each, to the satisfaction of the learned A.C.J.M.-II, Samastipur in connection with Samastipur Muffasil P.S. Case No. 231 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) 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;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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