

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72455 of 2025

Arising Out of PS. Case No.-439 Year-2024 Thana- SHERGHATI District- Gaya

1. Rahul Paswan @ Rahul Kumar S/O Vijay Paswan R/O Village- Ghujji, P.S.- Sherghati, Dist.- Gaya
2. Gabbar Paswan S/O Vijay Paswan R/O Village- Ghujji, P.S.- Sherghati, Dist.- Gaya
3. Nitish Paswan S/O Vijay Paswan R/O Village- Ghujji, P.S.- Sherghati, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 308(5), 126(2), 115(2), 110, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.
3. Learned counsel for the petitioners submits that the petitioner Nos. 1 and 3 are persons with clean antecedent and Petitioner No. 2 has antecedent of one case and the informant alleges that five named accused persons including the petitioners came and said that since he has retired, as such he



should part with Rs. 5-5 lakh each in their favour or else he would be killed, further they started assaulting by lathi, danda and rod causing injury on head of his wife; and on account of assault, the informant also became unconscious, further on regaining consciousness, the informant dialed 112 and on direction of police, the injured were taken to PHC for treatment from where the injured were referred to Magadh Medical College, Gaya, but the condition of his wife was not improving hence she was admitted in a private nursing home.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioners and the informant are related. It is also submitted that allegation of assault is not specific and the injury of the injured has been opined to be simple in nature, as would manifest from Annexures-2 and 2/1 of the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sherghati P.S. Case No. 439 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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