

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73822 of 2025

Arising Out of PS. Case No.-351 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Ravish Kumar @ Ravish Paswan @ Ravish Kumar Paswan Son of Janardan Ram @ Janardan Paswan Resident of Village -Chaukipur (Paswan chowk) PS -Udwantnagar (Gajrajganj Op), District- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bibhakar Tiwary

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-11-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Udwantnagar P.S. Case No. 351 of 2025 registered for the offence punishable under Sections 115(2), 126(2), 109, 352, 118(2), 3(5) of BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, informant's co-villager/Anil Kumar Paswan was taking his tempo to the garage, meanwhile said tempo touched with petitioner and one Anand Paswan as a result of which petitioner and Anand Paswan slapped and abused Anil Kumar Paswan. The informant alongwith Amarnath Paswan pacified the matter. It is further



alleged that after 2-3 hours, petitioner and others went near the house of informant and Anil Paswan and started abusing and assaulting them. It is further alleged that co-accused Ravi Ranjan made fire from his pistol which hit on the neck of the informant. The villagers took the informant to hospital.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner is ward member of Asani Gram Panchayat situated in Block-Udwanthnagar, Bhojpur and in ward no. 11 of said Panchayat, construction work of drainage and road was to be carried out. The informant wanted favour from the petitioner for allotment of construction work and when informant could not succeed in getting the work contract, the informant falsely implicated the petitioner in the present case. Learned counsel for the petitioner categorically submits that no incident, as alleged in the FIR, ever took place. The present case is outcome of failure in getting contract work. There is no allegation of firing against the petitioner rather allegation of firing is against co-accused Ravi Ranjan. Section 109 of BNS is not applicable in the light of aforesaid facts and circumstances of the case. Apart from that, petitioner has no criminal



antecedent. It has been orally submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that name of the petitioner finds place in the FIR and he cannot escape from the allegation made in the prosecution story.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, there is no allegation of firing against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 351 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that if the investigating



Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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