

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80187 of 2025

Arising Out of PS. Case No.-208 Year-2025 Thana- VISHNUPAD District- Gaya

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Brahamanand Paswan @ Varmanand Paswan S/o Late Tulsi Paswan R/o
Mohalla - Ram Sagar Tank (west), P.S - Vishnupad, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Pratyaksha, Advocate Mr. Mritunjay Kumar, Advocate Ms. Mahima Kumari, Advocate
For the Opposite Party/s :		Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Vishnupad Temple P.S. Case No. 208 of 2025 registered for the alleged offences under Sections 191(2), 190, 126(2), 115(2), 118(1), 117(2), 118(2), 329(3), 76, 308(2), 303(2), 109 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons used to demand extortion money from the uncle of the informant and on the date of occurrence, they entered into his house and assaulted him with *lathi*, *danda* and rod etc. Thereafter, they dragged him out and took him to a certain place. When the informant and his son reached there,



they were also assaulted. Further allegation against the petitioner and other co-accused persons is that they tried to kill the uncle of the informant and this petitioner hit to one Anurag Kumar with *lathi* causing injuries to him.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is counter version and the wife of the petitioner has filed Vishnupad Temple P.S. Case No. 209 of 2025 against the informant side as the informant side assaulted the petitioner and his wife and the injury of the petitioner is unexplained. Learned counsel further submits that the allegation against the petitioner is for assaulting one Anurag Kumar but the injury report of Anurag Kumar shows only abrasion on right hand and right shoulder apart from body-ache and nature of injury is stated to be simple. Other allegations are general and omnibus against the petitioner along with other co-accused persons. The petitioner has got no criminal history. The petitioner is in custody since 08.07.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



simple nature of injuries of the victim of the petitioner and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Gaya/court concerned in connection with Vishnupad Temple P.S. Case No. 208 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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