

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7584 of 2026

Arising Out of PS. Case No.-460 Year-2025 Thana- MINAPUR District- Muzaffarpur

Lal Krishna Paswan @ Lalkrishna Kumar @ Lalkrishn Kumar Paswan Son of
Harendra Paswan Resident of village - Darahipatti, P.S.- Minapur, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2026 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Minapur P.S. Case No. 460 of 2025, lodged on 01.11.2025, under Sections 191(2)/126(2)/115(2)/303(2)/109 of the Bhartiya Nyay Sanhita, 2023, pending in the Court of Judicial Magistrate, 1st Class, East, Muzaffarpur.

3. As per the prosecution, FIR has been lodged against 12 named accused persons including the present petitioner against whom there is an allegation that he has assaulted by



Bhala on the right side of the head, due to which injury has been caused. Subsequent allegation against other accused persons that they have assaulted repeatedly thereafter.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that case-diary was called for with a view to peruse the injury. Counsel submits that from the injury report, it becomes crystal clear that the wound is lacerated and from *Bhala* lacerated wound could not be made. Counsel submits that in this view of the matter the petitioner deserves anticipatory bail as the allegation made in the FIR does not match with the police report.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that antecedent of the petitioner is nor clean. There are three criminal cases pending against the petitioner, in which he is on bail. He submits that neither the antecedent of the petitioner is clean nor the injury is simple; rather it is on the vital part of the body.

6. Learned Counsel for the informant, on the other hand, vehemently opposes the prayer for bail and submits that it is specifically alleged against the petitioner that he assaulted on the left side of the head of the victim. He submits that from the



report it becomes crystal clear that there was subdural hematoma with air foci fracture of right frontal bone, wall of right frontal sinus, and roof of right orbit. He submits that the injury was grievous in nature. He further submits that the Sessions Court at the time of rejection of the bail have categorically quoted the said injury and found that the injury is grievous and on the vital part.

7. Considering the nature of allegations and criminal antecedent against the petitioner, the prayer for anticipatory bail of petitioner is hereby refused.

(Dr. Anshuman, J)

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