

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12885 of 2026

Arising Out of PS. Case No.-427 Year-2025 Thana- ASHTHAWAN District- Nalanda

1. Sonelal Paswan S/o Late Lala Paswan @ Lala Das R/o Village - Chulihari, P.S - Asthawan, District - Nalanda
2. Shravan Paswan @ Shravan Lal Paswan S/o Late Lala Paswan @ Lala Das R/o Village - Chulihari, P.S - Asthawan, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-02-2026 Heard, Mr. Birendra Kumar, learned Counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Asthawan P.S. Case No. 427 of 2025 for the offence registered under sections 126(2), 115(2), 352, 109(1), 3(5) of BNS, 2023.

3. As per the prosecution story, on a petty land dispute, allegation is that this petitioner gave blow on the head of the informant causing injury. This led to the FIR.

4. Learned Counsel for the petitioners submit that he do not have criminal antecedent, the injury has been found to be simple in nature, there is case and counter case, both sides have



suffered. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the allegation is of assault on the head.

6. Considering the submissions of the parties as also that the petitioner has no criminal antecedent and the injury is simple in nature, there is case and counter case, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 5,000/- to the informant as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or



surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Biharsharif, Nalanda in connection with Asthawan P.S. Case No. 427 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners 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 bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioners 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;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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