

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17494 of 2026

Arising Out of PS. Case No.-66 Year-2025 Thana- LAKHISARAI District- Lakhisarai

1. Abhishek Kumar
2. Dev Kumar @ Anil Paswan
Both Sons of Virendra Paswan @ Bablu Paswan @ Babul Paswan, Resident of village -Chitranjan Road, Purani Bazar, Mahaveer Ashthan Sheetala Mandir Ward No. 11, P.S.-Lakhisarai, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026 Heard Mr.Rajive Ranjan Singh, learned counsel for the petitioners and Mr.Pramod Kumar Pandey, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Lakhisarai P.S.Case No.66 of 2025, FIR dated 20.02.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 303(2), 352, 351(2), 109 of BNS, 2023.

3. Allegation against the petitioners is that they alongwith other co-accused persons have assaulted the son of the informant due to which he sustained injury.

4. Learned counsel for the petitioners submits that



petitioner No.1 carries one more case other than the present one and he is on bail in the said case. Petitioner No.2 has clean antecedent. Learned counsel for the petitioners submits that although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that allegation against the petitioners is that they caught hold the son of the informant and co-accused person, namely, Sani Kumar has assaulted by means of Knife upon the son of the informant and there is no specific allegation of any assault or overt-act attributed against petitioner and allegation against petitioner No.1 is that he committed theft of Rs. 1500/- from the pocket of the son of the informant . Learned counsel for the petitioners submits that the allegation against the petitioners is ornamental and there is no specific allegation of any assault or overt-act attributed against the petitioners.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on



furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S.Case No.66 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-



mentioned order shall not be delayed for purpose of or in the
name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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