

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22268 of 2026

Arising Out of PS. Case No.-706 Year-2023 Thana- BELAGANJ District- Gaya

Neeraj Paswan S/o Rajesh Paswan Resident of village- Dariyapur, P.S.-
Belaganj, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rabia Gulnaz, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 15-07-2026 Heard Ms.Rabia Gulnaz, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Belaganj P.S. Case No. 706 of 2023 instituted under Sections 147, 148, 149, 307, 302, 504, 506, 386 of the Indian Penal Code lodged on 29.10.2023 by the informant, Kailash Paswan.

3. As per the prosecution story, the informant recorded his FIR from Magadh Medical College, Gaya (emergency ward) alleging that he used to take care of the construction of the school boundary wall but was regularly threatened by the accused persons of dire consequences.

4. On 27.10.2023, the accused persons came armed variously and the allegation is that Ramji Paswan assaulted



Saurabh Kumar by rod on his ear, Laxman Paswan gave rod blow to the informant on the head while Raushan Kumar gave revolver butt blow to his wife, Sunita Devi on the head.

5. So far as this petitioner alongwith other co-accused are concerned they armed with rod assaulted Gaurav which resulted into fracture of the hand. The assault on Akash Kumar leading to broken tooth is/are also there. Later, Saurabh Kumar succumbed to the injuries on 29.10.2023. This followed the FIR.

6. Learned counsel for the petitioner submits that his name has come in the second part of the FIR, earlier being against Ramji Paswan, Laxaman Paswan and Raushan Kumar. Further, allegation is omnibus in nature.

7. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that he alongwith other co-accused assaulted Gaurav which led to fractured hand. The further submission is that in a case under section 302 of the IPC, F.I.R. lodged in the year 2023, he is a named accused, the anticipatory bail application before the learned Sessions Judge was filed in the year 2024, it was rejected. However, it took two years for the petitioner to come to the Patna High Court.

8. Taking into account the submissions of the parties



as also the role that has been assigned to the petitioner of assaulting Gaurav causing grievous injury coupled with the fact that this F.I.R. is of the year 2023, the petitioner despite being a named accused has chosen to come before this Court three years after the lodging of the FIR and after two years after the rejection of the anticipatory bail application by the learned Sessions Judge, no relief can be extended. The anticipatory bail stands rejected.

9. However, if the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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