

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32406 of 2026

Arising Out of PS. Case No.-313 Year-2024 Thana- BODHGAYA District- Gaya

Mithun Paswan @ Mithun Kumar S/o Late Raju Paswan R/o Village - Ganga
Bigha, P.S - Bodh Gaya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 24-06-2026 Heard the learned counsel for the petitioner and the
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Bodhgaya P.S. Case No.313 of 2014, registered under
Sections 341, 323, 504, 307, 354, 34 of I.P.C.

3. As per the prosecution story, which has been
lodged on the basis of written report submitted by the informant
to the effect that while the informant was roaming around on his
own land, all the named accused persons, including the
petitioner arrived and started abusing him. It has further been
alleged that the co-accused Bhola Paswan assaulted the
informant with an iron rod, due to which he sustained injuries
on his finger. When the son of the informant came for his
rescue, he was also assaulted. It has further been alleged when



the other son and daughter-in-law of the informant namely, Ajay Paswan and Anjana Kumari came to save him, the petitioner along with Shankar Paswan assaulted them with an iron rod.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the entire allegations leveled in the anticipatory bail petition are general and omnibus in nature and the specific allegation of assault on the son of the informant namely, Ajay Paswan and the daughter-in-law namely, Anjana Kumari has been leveled against the petitioner and co-accused Shankar Paswan. The learned counsel for the petitioner further submits that both the parties are neighbors and there is a dispute in between them with regard to passage, for which the present case has been lodged. The learned counsel for the petitioner submits that one of the co-accused namely, Nandu Chaudhari has been granted the privilege of anticipatory bail by a Hon'ble Single Judge of this Court vide order dated 28.01.2025, passed in Criminal Miscellaneous No. 89914 of 2024. The learned counsel for the petitioner further submits that the petitioner has got a clean antecedent.

5. *Per Contra*, the learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner



and submit that specific allegation of assault is there against the petitioner and one Shankar Paswan, therefore, the petitioner does not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the record, it appears that the petitioner, along with other accused persons is said to have assaulted the informant and his family members and when the son and daughter-in-law of the informant came to save him, it has been alleged that the petitioner and co-accused Shankar Paswan assaulted on their head, due to which they sustained injuries. Vide order dated 07.05.2026, case diary as well as the injury report was called for by a learned Co-ordinate Bench of this Court. From perusal of the injury report, which has been sent by the concerned Court and which is on record, it would transpire that the doctor who had examined the son of the informant namely, Ajay Paswan and the daughter-in-law namely, Anjana Kumari has found the injuries on the body of the injured persons to be simple in nature. Considering the above, let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No.313 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure /482(2) of the BNSS., and subject to the following condition:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. 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.

(Ritesh Kumar, J)

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