

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35045 of 2026

Arising Out of PS. Case No.-899 Year-2025 Thana- SASARAM NAGAR District- Rohtas

1. Dhanjee Paswan @ Dhanjee Kumar S/O Lalan Paswan @ Lalan Ram R/O Village - Dalelganj, P.S- Sasaram, Town, Dist.- Rohtas
2. Jai Prakash Bind @ Jai Prakash Kumar Son of Mahendra Bind Resident of Village- Athkhambha (Dalelganj), Magajpura, P.S.- Sasaram (Town), District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gudiya Devi W/O Sri Sabbir Kumar Resident of Mohalla- Dalelganj, P.S.- Sasaram (Town), District-Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Adv.
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 21-07-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sasaram (Town) P.S. Case No. 899 of 2025 dated 02.12.2025 registered for the offence punishable under Sections 191(2), 191(3), 126(2), 305, 309, 118(1), 308(2), 109, 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the allegation against the accused persons, including the petitioners, is that they trespassed into the house of the complainant, brutally assaulted her and her husband, looted jewellery, and also took away an



Attaichy containing Rs. 2 lakhs.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is next submitted that for an incident which is said to have taken place on 04.02.2025, the injured was medically examined on 05.02.2025 and still for an unexplained delay of sixteen days, the complaint case is said to have been registered by the Informant vide Complaint Case No. 179 of 2025 which has been converted into F.I.R. under Section 156(3) of the Cr.P.C. being Sasaram (Town) P.S. Case No. 899 of 2025. It is further submitted that so far as petitioner no.2 is concerned, he is said to have assisted the petitioner no.1 in causing injury to the Informant by providing *Bhala* while the petitioner no.1 is said to have given repeated blow on her head, whereas, on examination, the doctor has not found any sign of external injury over the body of the injured and the injuries have also been found to be simple in nature. Counsel for the petitioners, by relying upon the judgment rendered by the Hon'ble Apex Court in the case of *Ayub Khan Vs. State of Rajasthan passed in Cr. Appeal @ Special Leave Petition (Crl.) No. 10587 of 2023*, submits that merely because of antecedent, the consideration of anticipatory bail may not be denied because the



antecedent of an accused is one of such considerations for considering the bail application. It is lastly submitted that the petitioner no.1 bears four criminal antecedents whereas petitioner no.2 has two antecedents and in all of them, the petitioners are on bail as has been stated in Para-3 of the present anticipatory bail application.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the parties and considering the fact that there is an unexplained delay of sixteen days in lodging the complaint and there being no external injury corroborating the allegations made in the F.I.R. while the injuries have been found to be simple in nature and merely on the basis of antecedent of the petitioners, they have falsely been implicated in this case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Town) P.S. Case No. 899 of 2025, subject to the conditions as laid down under Section



482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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 their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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