

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39786 of 2026

Arising Out of PS. Case No.-141 Year-2025 Thana- Mufassil District- Khagaria

1. Shatrudhan Kumar @ Shatrudhan Paswan Son of Ajit Kumar @ Ram Kali Paswan Resident of village-Nanhku Mandal Tola, P.S.-Muffasil, District - Khagaria
2. Jaicab Kumar Son of Sanjay Paswan Resident of village-Nanhku Mandal Tola, P.S.-Muffasil, District - Khagaria
3. Johnson Kumar Son of Sanjay Paswan Resident of village-Nanhku Mandal Tola, P.S.-Muffasil, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 118(2), 109(1), 352, 351(2), 351(3), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are persons with clean antecedent and petitioner no. 3 has antecedent of two cases and the informant alleges that he owns King Hotel on NH-31, where his co-villagers Shatrudhan (petitioner no. 1), a criminal, used to come and had food without paying and when informant used to ask for payment, Shatrudhan used to demand extortion of Rs.



2,000/- per day saying that all hotels' owner pay him extortion, next alleges that since Shatrudhan belongs to SC category hence informant feared that he might involve him in a case under the SC/ST Act, further on 23-9-2025 petitioners along with Ajit and Mithlesh assaulted him by sword causing injury on head and he got himself treated at Sadar Hospital, but out of fear, did not institute a case, next alleges that on eve of Dushera on 1-10-2025, he was returning home with money earned, when accused persons intercepted him and Shatrudhan assaulted by sword causing injury on head, thereafter repeated the blow causing injury over his eye, further Jaicab (petitioner no. 2) assaulted by sword causing injury on head and Johnson (petitioner no. 3) took a bag containing Rs. 50,000/-, while Ajit threatened with arms that his entire family members would be killed, further all accused assaulted him when he fell and nearby people rushed and took him to Sadar Hospital, Khagaria.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that informant alleges that Shatrudhan is a criminal and was demanding extortion and used to come to his hotel and had food without paying money, but then Shatrudhan is a person with clean antecedent along with



Jaicab. It is further submitted that it absolutely does not stand to reason that if the informant was assaulted by the accused persons on 23-9-2025 then why he did not institute an FIR. It is next submitted that the plea taken that he was afraid also gets rebutted by the fact that subsequently on account of assault, the instant FIR came to be instituted.

5. Learned counsel appearing on behalf of the petitioners submits that he has a copy of the injury report of the informant and from perusal of the same, it would manifest that the injury suffered by the injured has been opined to be simple in nature caused by hard and blunt substance when the informant alleges that he was also assaulted by Shatrudhan by sword which is a sharp-edged weapon.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but then after perusing the injury report of the informant fairly submits that the injury has been opined to be simple in nature caused by hard and blunt object but then submits that if privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.



7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maffasil Khagaria P.S. Case No. 141 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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