

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52514 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- KALYANPUR District- Samastipur

Heera Paswan S/o Late Baleshwar Paswan R/o Village -Ratwara P.S-
Kalyanpur District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Kalyanpur P.S. Case No. 135 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the allegation upon the petitioner is that he along with other co-accused persons were demanding to play the DJ and when the informant refused, it is alleged that the accused persons including the petitioner started pelting stones upon the informant and also abuse them.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated on account of personal



rivalry with the informant and no such incident as stated has occurred. It is further submitted that though the impugned order refers to that the learned APP assisted by one private counsel before the court below had filed certain injury report, however, from perusal of the case diary, it would be evident that despite repeated reminders to the informant no injury report was furnished by the informant in the present case. It has thus been submitted that the receiving of injury by any person of the prosecution side is false and fabricated and the petitioner and others have been implicated out of personal grudge. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his/her/their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 135 of 2025, subject to the conditions as laid down under Section 482 of the



BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below 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 below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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