

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54154 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Dhanji Paswan, son of Ram Bali Paswan R/V- Semra P.S -Sonhan Dist
-Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi, Daughter of Hira Paswan village- Akhleshpur, Ps- Bhabhua,
Dist- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Advocate Mr. Rakesh Kumar Mishra, Advocate Mr. Kanhaiya Rao, Advocate
For the Opposite Party No.1	:	Mr. Aditya Narayan Singh.1, APP
For the Opposite party No.2	:	Mr. Abhash, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 21-01-2026 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State.

2. Petitioner apprehends his arrest in connection with
Bhabua (Sonhan) P.S. Case No. 102 of 2025 registered for the
offences under Sections 126(2), 115(2), 352, 351(2), 3(5) of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

3. As per the prosecution case, the informant has
alleged that all the named accused persons assaulted her and her
brother, who had come there to visit her.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such occurrence has taken place. It has been submitted that in fact it was the brother of the informant and the informant herself who were the aggressors and they had assaulted the petitioner and others, for which one Bhabhua P.S. Case No. 103 of 2025 was lodged, however, the present case was lodged by the informant just prior to the case of the petitioner on false and concocted story. It has next been submitted that the so-called injury sustained by the informant was found to be simple in nature and the same is referred to in Paragraph '61' of the case diary. It has further been submitted that there is no specific allegation of alleged overt act against the petitioner. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State and learned counsel for the opposite party no.2 have vehemently opposed the prayer for anticipatory bail and have stated that the petitioner, along with others, had assaulted the informant and others and had even snatched away money from them.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the



event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bhabua (Sonhan) P.S. Case No. 102 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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 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.



7. Accordingly, the prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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