

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66298 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- ATHMALGOLA District- Patna

Subodh Paswan @ Subodh Kumar S/O Surendra Paswan Resident of Village -
Sunder Nagar, Achuara, P.S.- Athmalgola, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Deo Varman, Advocate
For the Informant	:	Mr. Akash Shankar, Advocate
		Mr. Raj Kumar, Advocate
		Ms. Archana, Advocate
For the State	:	Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-02-2026 Heard learned Counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Athmalgola Police Station Case No. 166 of 2025,
disclosing offences under Sections 126(2), 115(2), 109(1), 74,
352, 351(2), 3(5) of B.N.S., 2023.

3. The prosecution case, as per the First Information
Report, is that on 13.05.2025, the brother and son of the
informant were going to medical store for purchase of medicine.
They were accosted by petitioner and other accused persons and



it has been alleged that petitioner assaulted the son of the informant by means of iron rod on his head due to which he sustained injury.

4. Learned Counsel for the petitioner submits that both the parties are co-villagers and dispute has occurred during marriage ceremony of informant's daughter; inasmuch as during course of the marriage procession, the maize crop of the petitioner's side was damaged. There is case and counter case lodged by the side of the petitioner bearing Athmalgola P.S. Case No. 165 of 2025 under Section 103 and other allied sections of B.N.S. 2023, in which, during course of treatment, father-in-law of the side of the petitioner died. From perusal of the injury report, it appears that the injury is minor in nature, having lacerated wound of 5 cm.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner that he assaulted by iron rod on the head of the informant's son due to which he sustained head injury. Though the nature of injury has not been disclosed by the Dr., but from the allegation made in the FIR, a prima facie case is made out. In the FIR lodged by the side of the petitioner, almost all the



family members of the informant went to jail.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, there is case and counter case between them, though the nature of injury has not been disclosed by the Dr. about the injury sustained by the victim, it appears not serious in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge III, Barh (Bihar), in connection with Athmalgola Police Station Case No. 166 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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