

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74172 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- Panchanpur District- Gaya

Butani Paswan @ Nagendra Paswan S/o Rajendra Paswan R/o Village-
Panchanpur, P.S.- Panchanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-02-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Panchanpur P.S. Case No. 124 of 2024 for the offence under sections 126(2), 115(2), 118(2), 109, 352, 351(3) and 3(5) of the BNS lodged on 14.10.2024 by the informant, Chinta Devi.

3. As per the prosecution story, the informant alleged that his son was sitting near the Mahadev Sthan, this petitioner came, started abusing him and later, attacked on his neck causing injury. He was sent to the hospital which led to the FIR.

4. Learned counsel for the petitioner submits that a scuffle took place which has been exaggerated, he do not have any criminal antecedent and there is no medical report to show that the injury is grievous in nature.

5. Learned APP opposes the prayer submitting that the attack is on the neck.



6. In this case, the Coordinate Bench had called for the case diary and the injury report dated 30.10.2024 which is on record. The injury report shows that the opinion was reserved and 19.03.2025 record shows that on 14.10.2024, the injured Left Hospital against Medical Advice (for short the 'LAMA').

7. Taking into account the submissions of the parties as also the fact that though the allegation of assault is there, the medical report records that the injured left the Hospital on his own, the petitioner do not have any criminal antecedent and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VIII, Gaya Ji in connection with Panchanpur P.S. Case No. 124 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;



(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner 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 his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(v) the petitioner 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;

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

(Rajiv Roy, J)

Adnan/-

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