

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88295 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- Lalamnia District- Madhubani

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1. Uttim Lal Paswan @ Utimlal Paswan S/O Lalu Paswan R/O Village- Malin Belha, P.S- Lalmaniya, Distt.- Madhubani.
 2. Anand Kumar Paswan S/O Uttim Lal Paswan R/O Village- Malin Belha, P.S- Lalmaniya, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate
For the Informant	:	Mr. Md. Soban Asghar, Advocate
For the State	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Jitendra Kumar Bharti learned counsel for the petitioners, Mr. Md. Soban Asghar, learned counsel for the informant and Mr. Nand Kumar, learned APP for the State

2. The petitioners are apprehending their arrest in connection with Lalmaniya P.S. Case No. 45 of 2025, F.I.R. dated 21.08.2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 351(3), 3(5) of the B.N.S.S.

3. As per prosecution case, petitioners are alleged to have assaulted the informant with lathi and tengari over his head due to which informant got head injury and became unconscious.

4. Learned counsel for the petitioners submit that the petitioners have clean antecedent and they have been falsely implicated in the present case. From the F.I.R. itself, it appears



that there is admitted land dispute between the parties due to which present occurrence has taken place. Informant is son of the petitioner no. 1 and brother of the petitioner no. 2. From perusal of the F.I.R., there is general and omnibus allegation against the petitioners. Although, the informant have received injuries which suggests to be grievous in nature.

5. Learned counsel for the informant and learned APP for the State have opposed the prayer for anticipatory bail of the petitioners and submitted that petitioners have assaulted the informant who happens to be son and brother of the petitioners and he receives the injuries which is grievous in nature.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedent and due to land dispute the present occurrence taken place and there is no specific allegation against the petitioners in the F.I.R. rather the allegation is general and omnibus, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, District- Madhubani in connection with Lalmaniya P.S. Case No. 45 of 2025, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioners tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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