

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86925 of 2025

Arising Out of PS. Case No.-19 Year-2023 Thana- GAYA MUFASIL District- Gaya

1. Rakesh Paswan @ Rakesh Kumar Son of Mithilesh Paswan @ Mithlesh Paswan Resident of Village - Badki Neema, P.S.- Muffasil, District - Gayaji.
2. Mithilesh Paswan @ Mithlesh Paswan Son of Late Sukhdev Paswan Resident of Village - Badki Neema, P.S.- Muffasil, District - Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 337, 379, 307, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he was constructing washroom on his roof, which was objected by Rakesh, accordingly, a panchayati was fixed on 06.01.2023 to end the dispute, but Rakesh on 05.01.2023 at 7 P.M. assaulted the informant by farsha causing injury on head, thereafter Rajesh assaulted his son by khanti, causing injury on



head, thereafter Mithilesh assaulted his wife causing fracture of her left hand and snatched gold chain and also assaulted him causing fracture of right hand.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioner no.2 is own brother of the informant and petitioner no.1 is son of petitioner no.2. It is next submitted that on account of dispute relating to property, the occurrence is alleged to have taken place, in which, both side assaulted each other but then in order to make the case serious false allegations were alleged. It is further submitted that on intervention of well-wishers, the parties have compromised as would manifest from Annexure-P/3 to the anticipatory bail application. It is thus submitted that since parties have compromised and petitioner no.2 is own brother of the informant, as such no useful purpose would be served by sending them to jail.

5. Learned A.P.P. for the State submits that from perusal of Annexure-P/3, it appears that the case has been compromised but then it can be a ploy even.

6. After hearing the learned counsel for the parties, the petitioners above-named, in the event of their arrest or surrender



before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No.19/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the informant would be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if compromise petition dated 28.08.2025 is not a genuine document.

(Satyavrat Verma, J)

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