

**IN THE COURT OF SHRI SURESH KUMAR SRIVASTAVA DISTRICT & ADDITIONAL
SESSIONS JUDGE-III, BHAGALPUR.**

Anticipatory Bail Application No. 979/2026
(Arising out of Kajraili P.S. Case No. 42/2024)
U/s 147, 149, 341, 323, 379, 504, 308 IPC.

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Chhotu Paswan, Age- 25 years, S/o Saheb Paswan, R/o Village- Kumrath Colony, P.S. Kajraili, District- Bhagalpur.....**Petitioner.**

Versus

The State of Bihar.....**Respondent.**

Appearance:

For the Petitioner: Mr. Subhash Chandra Choudhary, Ld. Advocate.
For the State: Mr. Kashi Nath Mishra, Ld. A.P.P.

ORDER

Sl No.	Date of Order or Proceeding	Order with Signature of the Court	Office action taken with Date
1	2	3	4
	09.06.2026	1. This application for anticipatory bail u/s 482 B.N.S.S. filed on behalf of the above named petitioner, who apprehends his arrest in connection with Kajraili P.S. Case No. 42/2024 for the offence punishable u/s 147, 149, 341, 323, 379, 504, 308 IPC. 2. Petitioner has given certificate in para 2 of the bail application that earlier no application for regular or anticipatory bail has been filed either before the Sessions Court, Bhagalpur or before the Hon'ble High Court, Patna. Petitioner has also stated in para 3 of the bail petition that he has no criminal antecedent. 3. Heard, the learned counsel for the petitioner as well as learned A.P.P. for the State. 4. Brief facts of the case is that the informant Mahesh Rajak has filed FIR alleging that on 06.05.2024 at around 08:00-09:00 o'clock in the night his villager Chhotu Paswan was sitting with his son Lav Kush Kumar and all of sudden, Chhotu Paswan started abusing his son which was objected by his son. Then, Chhotu Paswan started assaulting him. When he heard about beating his son, he went there and saw that Chhotu Paswan, Virval Paswan, Mithun Paswan and Chandan Paswan are assaulting his son which was objected by him. In the meantime, Saheb Paswan, Meera Devi, Mamta Devi, Guriya Kumari, Anandi Paswan having Lathi in their hands attacked upon him. When he started fleeing away, then Chhotu Paswan pelting bricks on him by which his head was ruptured. Thereafter, he along with villagers went to police station. From where he was sent to Nathnagar Referral Hospital and also from there he was referred to Mayaganj Hospital and after getting treatment he has lodged this case after delay. It is further alleged that in course of Marpit, silver chain of two Bhar and two Bhari Chakti snatched away by Chhotu Paswan. 5. Ld. counsel for the petitioner argued that the petitioner is innocent and he has not committed any offence and he has been falsely implicated in this case out of grudge and	

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only to harass him. It was further argued that the contents of the FIR is baseless and based on concocted story. It was further argued that petitioner has no role in the alleged offence, moreover, he is victimized, hence, petitioner deserves anticipatory bail.

6. On the other hand, the Ld. A.P.P. has opposed the prayer for anticipatory bail.

7. Perused the case diary and record. From perusal of case diary, it appears that injury is reported to be simple in nature. In para 38 of the case diary I.O. has issued notice u/s 41(A) Cr.P.C. to the accused persons. In para 42 of the case diary accused-petitioner Chhotu Paswan had not been arrested during investigation by the I.O. and has been released on Police bail. It further appears from the trial court record that other co-accused have been granted bail vide A.B.P. No. 1200/2024 on 26.06.2024. Petitioner has fairly mentioned in para 3 of the bail petition that he does not have any criminal antecedent in past. The petitioner is further ready to abide by all the terms and conditions as may be imposed for grant of anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, I am inclined to release the petitioner on anticipatory bail. Accordingly, the anticipatory bail application of the petitioner is hereby allowed.

It is ordered that in the event of arrest or surrender before the learned court within four weeks of the date of the receipt of the copy of this order, petitioner is directed to be released on anticipatory bail on furnishing bail bond of the value of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned court and subject to condition as laid down under Sub-Clause (2) of Section 438 of the Criminal Procedure of Code.

9. Any observation made herein above is not an opinion on the merits and the same is only for the purpose of instant bail petition.

Sd/-

District & Additional Sessions Judge III
Bhagalpur.

Date of Judgment/order	09.06.2026
Date of reserving Judgment/order	N.A.
Uploading Date	10.06.2026
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