

In the Court of Additional Sessions Judge-I, Masaurhi
Bail Petition No.82/2026
[Punpun P.S.Case No.300/2018]

1. **Phot Kumar @ Photu Paswan**, aged about 27 years, S/o- Bithal Paswan
R/o- Vill. Maranchi, P.S. Punpun, Dist. Patna.

..... **Petitioner**

Versus

1. State of Bihar through Addl. Public Prosecutor

..... **Opposite Party**

Regular Bail Petition Under Section 483 of BNSS

For the petitioner/s : Mr. Chandra Kant Mishra, Advocate

For the O.P. State : Mr. Dhananjay Kumar, Addl. P.P.

ORDER

Dated: 26.05.2026

This bail petition has been filed on behalf of petitioner **Phot Kumar @ Photu Paswan** in connection with Punpun P.S. Case No. 300/2018 for the offence punishable **U/s 147, 341, 323, 354, 307 & 504** of the IPC which is pending in the court of the SDJM, Masaurhi is being pressed today and heard.

The case of the prosecution as per the written information given by Phulmanti Devi is that on 05.11.2018 at about 6.00 hrs. in evening, while her husband was at home 1. Photu Paswan 2. Tutu Paswan 3. Dharmvir Paswan 4. Aklesh Paswan 5. Budhan Paswan 6. Ranjan Paswan 7. Nitish Paswan 8. Shambhu Paswan, attacked at her house and started abuse then her husband opposed for same and meanwhile 9. Vithal Paswan came there and instigated aforesaid persons to kill her husband, thereafter, Photu Paswan (petitioner) assaulted him with Tangari on his head with an intention to kill him resultantly her husband got injury and fell down and when she went to save him, then they abused her also and given threat to kill her, if she would have been lodged case. Dispute arises due to irrigation of field. Her husband was treated at Lakhna Bazar.

Learned counsel appearing on behalf of the petitioner has submitted that anticipatory bail petition of the petitioner was rejected twice in the year 2018 & 2021 vide ABP No. 84833/2018 & 3808/2021 respectively. Petitioner has got no criminal antecedent as mentioned in para-3 of the bail petition. Petitioner has surrendered in the court of SDJM, Masaurhi and taken into judicial. Petitioner is in judicial custody since 05.05.2026. Petitioner is innocent and has falsely been implicated in this case. Fact is that the petitioner was not at his home at the time of occurrence. There is a case and counter case between the parties. Alleged all sections are bailable in nature except section 307 of the IPC and the same is not attracted against the petitioner. Petitioner undertake to abide by all conditions imposed by the court and shall cooperate in the

trial and investigation. Prayer has been made to enlarge petitioners on bail.

On the other hand the learned Addl. P.P. for the State vehemently opposed the prayer for regular bail of the accused-petitioners named above.

Heard both sides and perused the case record as well as the case diary. It appears that Vithal Paswan @ Sidheshwar Paswan ordered to assault the husband of the informant upon which his son Photu Paswan attacked the husband of the informant on head by tengari and he fell down. The injury report of Vinod Manjhi, the husband of the informant shows that there was one stitched and bandaged wound, 3" long on left temporal and frontal region and swelling of right eye. It also appears that the patient was also referred to Neuro Surgery Department of PMCH and CT scan of skull was done which shows communicated fracture on the head. It also, showed that the patient had received blow from hard and blunt object and the injury was of grievous in nature.

It appears that the anticipatory bail petition of the petitioner was rejected twice in the year 2018 & 2021 vide ABP No. 84833/2018 & 3808/2021. The case is of the year, 2018. The main allegation upon the petitioner of having caused grievous injury upon the husband of the informant. The petitioner is in J/C since 05.05.2026 and investigation against him is still going on.

The Ld. Counsel on behalf of the petitioner submitted that the case has been compromised and the informant was present in the court. But the victim, who is the husband of the informant was not present.

Be that as it may, this is a case u/s 307 of IPC with grievous injury on the head of husband of the informant and the petitioner has been absconding since about 8 years.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail, hence his prayer for regular bail is hereby **rejected**. Accordingly, this bail petition is hereby disposed off.

Let a copy of this order alongwith TCR be sent to the court concerned.

(Dictated)

Sd/-

(Sankash Chandra)
Addl. Sessions Judge-I,
Masaurhi