

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49957 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- RAHIKA District- Madhubani

1. Lal Babu Paswan S/o Birji Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
2. Birji Paswan S/o Late Gunjan Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
3. Buchani Devi W/o Birji Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
4. Fulo Devi @ Fulpari Devi W/o Rambabu Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
5. Sanjila Devi W/o Lalbabu Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
6. Rakesh Paswan @ Rakesh Kumar Paswan S/o Maheshi Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
7. Maheshi Paswan S/o Late Gunjan Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani
8. Anita Devi D/o Birji Paswan R/o vill - Izara, P.S.- Rahika, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Rahika P.S. Case No. 76 of 2026 for the offence under Sections 191(2), 190, 126(2), 127(2), 115(2), 109(1), 262, 263, 132 of the Bhartiya Nyaya Sanhita.

3. As per prosecution case, in short, is that on 19.03.



2026, around 12:45 p.m., the informant, during patrolling duty came to know that the wanted accused, namely, Ram Babu Paswan (related to Rahika P.S. Case No. 76/2025), was present at his residence. To verify this information, the police team arrived at Village-Izra near the suspect's house. Then upon seeing the police, a mob of 5-15 unknown men and women armed with lathi, danda, brick, and stones surrounded the police party. The group assaulted the officers and attempted to forcibly snatch the apprehended person from police custody. When the police resisted, the accused individuals tore the uniforms of the informant and another constable, and they also attacked and attempted to damage the police vehicle, following the altercation, the police inquired about the name of the person involved then the name of the petitioners were disclosed.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case because of the high-handedness of the police. It is further submitted that the petitioner have no criminal antecedent and the allegations made against the petitioners are false, baseless and malicious.

5. Learned APP for the State vehemently opposed the prayer of anticipatory bail of the petitioners and submitted that



the issue relates to the authority of the State wherein police personnel have been assaulted.

6. Considering the aforesaid facts and circumstances of the case and taking into account the age of the petitioner nos. 2 and 7 and also taking into account that the petitioner nos. 3, 4, 5 and 8 are woman, let the petitioner nos. 2,3,4,5,7 and 8, above named, in the event of their arrest/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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court is connection with Rahika P.S. Case No. 76 of 2026, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagarika Suraksha Sanhita, 2023, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 and also subject to the following conditions:

(I) One of the bailors shall be the petitioners' own or close member.

(II) The petitioners shall appear on each and every date fixed during the trial and also co-operate in the process of trial.

(III) The petitioner shall not tamper with the



prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

7. So far as pre-arrest bail of the petitioner No.1 Lal Babu Paswan and petitioner no. 6 Rakesh Paswan @ Rakesh Kumar Paswan are concerned, taking into account the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner nos.1 and 6.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner nos. 1 and 6 are, hereby, rejected.

9. However, if the petitioner nos. 1 and 6 surrender before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Alok Kumar, J)

khushbu/-

U		T	
---	--	---	--

