

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9818 of 2025**

Arising Out of PS. Case No.-117 Year-2024 Thana- GHANSHYAMPUR District- Darbhanga

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1. Gauri Shankar Paswan Son of Late Fusi Paswan Resident of Vishanpurghat, P.S.-Ghanshyampur, District-Darbhangha.
2. Arjun Paswan @ Arjun Kumar Paswan Son of Gauri Shankar Paswan Resident of Vishanpurghat, P.S.-Ghanshyampur, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      28-03-2025                      Heard Mr. Sushil Kumar Jha, learned counsel  
  
                                         appearing on behalf of the petitioners and Mr. Dinesh Singh,  
  
                                         learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Ghanshyampur P.S. Case No. 117 of 2024 registered for the offence(s) punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, due to passage and drainage, the informant and the petitioners, who were neighbours, indulged into fierce fight, in which the informant and her family members sustained injury.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. The incident took place on 03.05.2024 and both the parties lodged case and counter case, which are arising out of the same incident. The allegation against the petitioner no.2 is that he had assaulted the mother of the informant, who sustained injury on her hand, where there is no specific allegation against the petitioner no.1. Both the parties were indulged in fierce fight and in course of self-defense, the petitioners may have caused some injuries on the person of the mother of the informant. On these grounds, the petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, perusing the allegation made in the FIR, I find that both the parties had lodged case and counter case, arising out of the same incident, which has taken place on 03.05.2024. The injury sustained by the mother of the informant is on her hand, which was caused by the petitioner no.2, whereas, there is no specific allegation against the petitioner no.1. In view of the admitted facts that both the parties were indulged in fierce fight and in course of self-defense, the



petitioners may have caused some injuries on the person of the mother of the informant, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, 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., Benipur, Darbhanga in connection with Ghanshyampur P.S. Case No. 117 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.**

**(Purnendu Singh, J)**

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