

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9765 of 2025

Arising Out of PS. Case No.-168 Year-2024 Thana- DEV District- Aurangabad

1. Dinanath Paswan, Son of Suryadeo Paswan, Resident of Village-Bishrampur, P.S. -Deo, District- Aurangabad
2. Bishwanath Paswan, son of Suryadeo Paswan, Resident of Village-Bishrampur, P.S. -Deo, District- Aurangabad
3. Bindiya Devi, Wife of Dinanath Paswan, Resident of Village-Bishrampur, P.S. -Deo, District- Aurangabad
4. Kunti Devi, Wife of Bishwanath Paswan, Resident of Village-Bishrampur, P.S. -Deo, District- Aurangabad
5. Rahul Kumar, Son of Tapesar Paswan @ Dinesh Paswan, resident of village- Chilmi Ps- Madanpur Dist- Aurangabad
6. Shibu Paswan @ Somnath Paswan @ Somnath Kumar, son of Tapesar Paswan @ Dinesh Paswan, Resident of Village-Chilmi Ps- Madanpur Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Deo P.S. Case No. 168 of 2024 dated 08.08.2024 instituted for
the offence punishable under Sections 190, 191(2), 115(2),
126(2), 117(2), 118(1), 109 of the Bhartiya Nyaya Sanhita,
2023.

3. The allegation against the petitioners and other



accused persons is that they assaulted the informant by means of iron rod and sharp weapon. It is also alleged that they assaulted on the head of his son by means of sharp weapon due to which blood was oozing from his head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the F.I.R has been lodged against 12 named accused persons. There is case and counter case between the parties. Counter case bearing Deo P.S. Case No. 173 of 2024 has been lodged by petitioner no. 4 for the offence punishable under Section 126(2), 115(2), 117(2), 74, 3(5) of the Bhartiya Nyaya Sanhita, 2023. As per the F.I.R., it is evident that there is no specific allegation of assault against the petitioners. The allegation of assault is against co-accused persons which are general and omnibus. In this incident, only two persons sustained injuries. The injuries of both persons are simple in nature. Learned counsel for the petitioners also submits that there is land dispute between the parties. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Deo P.S. Case No. 168 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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