

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16058 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- SIKTA District- West Champaran

1. Abhishek Pswan @ Akhilesh Paswan @ Abhishek Paswan son of Lalbabu Paswan @ Lalbabu Ram, village- Bardahi, Ps- Sikta, Dist- west Champaran
2. Nitesh Paswan son of Lalbabu Paswan @ Lalbabu Ram, village- Bardahi, Ps- Sikta, Dist- west Champaran
3. Suraj Paswan Son of Umesh Paswan, village- Bardahi, Ps- Sikta, Dist- west Champaran
4. Ramswarup Paswan Son of Nathuni Paswan @ Nathuni Ram, village- Bardahi, Ps- Sikta, Dist- west Champaran
5. Lalbabu Paswan @ Lalbabu Ram, Son of Nathuni Paswan @ Nathuni Ram village- Bardahi, Ps- Sikta, Dist- west Champaran
6. Awadhesh Paswan, Son of Nathu Paswan @ Nathu Hajra, village- Bardahi, PS- Sikta, Dist- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Sikta P.S. Case No. 131 of 2024 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 117(2), 303(2), 352 and 351(2) of the B.N.S.

3. Allegedly, while the informant was going to purchase steel bars and cement from the market, in the



meanwhile, on account of previous enmity, all the FIR named accused persons surrounded him having arms in their hand and started abusing and assaulting him. It is specifically alleged that the petitioners no. 1 and 2 assaulted on the head of the informant by means of iron rod over his head whereas the petitioner no.6 assaulted him over the eyes and the petitioners no.3 and 5 snatched the valuables.

4. Learned counsel for the petitioners submitted that in fact on the fateful day, on account of previous enmity, both the parties have entered into a free fight resulting into injuries to persons of both the sides, for which a counter version has also been recorded giving rise to Sikta P.S. Case No. 133/2024, based upon the *fardbeyan* of the father of the petitioner no.5 whose statement was recorded in the Surgical ward of GMCH, Bettiah. It is further contended that though the informant has sustained some injuries but during the course of examination by the medical officer, the same have been found to be simple in nature. It is lastly contended that the petitioners are men of fair antecedent and they undertake that they will fully cooperate in the proceedings of the Court and would not indulge in such kind of activities in future.

5. On the other hand, learned counsel for the State and



the learned counsel for the informant taking this Court through the injury report have vehemently opposed the bail application and submitted that all the injuries have been found to be on the vital part of the body of the informant and, in fact, he was fortunate enough that he survived despite the attempt made by the accused persons.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and counter case, coupled with the nature of simple injury and the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Bettiah, West Champaran in connection with Sikta P.S. Case No. 131 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., with following conditions:-

(i) One of the bailors shall be the own/close family members of the petitioners.

(ii) During subsistence of their bail, if the petitioners are found indulge in such kind of activity, the same shall



constitute breach of undertaking given before this Court,
entailing cancellation of bail bond(s).

(Harish Kumar, J)

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