

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16486 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

1.

SHIVNATH PASWAN @ SHIVNANTH PASWAN SON OF RAMBRIKSH PASWAN RESIDENT OF VILLAGE- RURI KHURD, P.S.- MAGADH UNIVERSITY, DISTRICT- GAYA
2.

MUKESH KUMAR @ MUKESH PASAWAN SON OF SHIVNATH PASWAN RESIDENT OF VILLAGE- RURI KHURD, P.S.- MAGADH UNIVERSITY, DISTRICT- GAYA
3.

VIJAY PASWAN SON OF RAMBRIKSH PASWAN RESIDENT OF VILLAGE- RURI KHURD, P.S.- MAGADH UNIVERSITY, DISTRICT- GAYA

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate.
For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-05-2025 Heard Mr. Ajay Kumar Sinha, learned counsel appearing on behalf of the petitioners and Mr. Brajendra Nath Pandey, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Magadh University P.S. Case No. 193 of 2024 registered for the offence punishable under Sections 126(2), 115(2), 110, 118(1), 352, 351(2) and 3(5) of the BNS, 2023.

3. As per the allegation made in the F.I.R., the accused persons including the petitioners with a common intention to kill the informant and his younger brother assaulted them



causing grievous injury to the brother of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties. Due to enmity, both the parties indulged into fierce fight in which both sides sustained injury. Petitioners are innocent and they have clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and submitted that the petitioner no.1 Shivnath Paswan assaulted the younger brother of the informant Arjun Paswan by means of *khanti* causing grievous injury on his head.

6. Having considered the rival submissions made on the behalf of the parties as well as the allegation made in the F.I.R., I have also perused the case diary and the injury report of Arjun Paswan who is the younger brother of the informant, I find that petitioner no.1 Shivnath Paswan had assaulted him by means of *khanti* causing grievous injury on his head, I am not inclined to enlarge the petitioner no.1 Shivnath Paswan on pre-arrest bail.

7. So far as petitioner nos. 2 and 3 are concerned, the injuries attributable to them are simple in nature, they are directed to be released on pre-arrest bail, in the event of their



arrest or surrender before the 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 ACJM-VIII, Gaya in connection with Magadh University P.S. Case No. 193 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner nos. 2 & 3 and if it is found that the petitioner nos. 2 & 3 are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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