

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25041 of 2025

Arising Out of PS. Case No.-587 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

-
1. Vikash Paswan S/o Sekho Paswan
 2. Shivji Paswan S/o Sekho Paswan
Both resident of Village- Karua Rahika, P.S.- K. Nagar (Maranga), District-
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K.Agarawal, Sr. Advocate Mr.Bidhu Ranjan, Advocate
For the Opposite Party/s	:	Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-05-2025 Heard Mr. N.K. Agarwal, learned Senior Advocate

along with Mr. Bidhu Ranjan, learned counsels appearing on

behalf of the petitioners and Md. Mushtaque Alam, learned APP

for the State.

2. Petitioner seeks pre-arrest bail in connection with

K.Nagar (Maranga) P.S.Case No.587 of 2023, registered for the

offences punishable under Sections 341, 323, 307, 305, 379 and

354/34 of the Indian Penal Code.

3. At the very outset, learned counsel appearing on

behalf of the petitioners submitted that there is typographical

error in typed copy of running page no.21 (**Annexure-P/3**), as

such, **Annexure P/3** may be ignored.



4. As per the allegation made in the FIR, the petitioners with a common intention to kill the husband of the informant assaulted on his head by means of iron rod (*Khanti*).

5. Mr. N.K.Agarwal, learned Senior Advocate along with Mr. Bidhu Ranjan, learned counsels appearing on behalf of the petitioners submitted that the allegation, as alleged in the FIR, is not sustainable in view of the fact that in respect of a land bearing Khata No.508, Khesra No.4061/4150, total area measuring 1 acre, there is a long standing dispute between the petitioners and the informant, for which T.S.No.641 of 1994 is pending before the court of the learned Sub Judge, Purnea.

6. Learned counsel further submitted that both the parties had entered into fierce fight only on a simple issue of plucking the mango and they received injuries. There is case and counter case between the parties, arising out of same incident. Petitioners have clean antecedent.

7. Learned APP for the State have vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

8. Having considered the rival submissions made on behalf of the parties, as well as, T.S.No.641 of 1994 is pending between the parties in respect of a land, which is the place of occurrence, both the parties have filed case and counter case



against each other. The petitioners have also sustained injuries and in the same course of action, the petitioner no.2 without intention may have caused some injuries on the person of the husband of the informant.

9. The petitioners 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea/concerned court, in connection with K. Nagr (Maranga) P.S.Case No.587 of 2023, subject to conditions as laid down under Section 482(2) of BNSS of 2023

10. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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