

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29711 of 2025

Arising Out of PS. Case No.-158 Year-2023 Thana- DESARI District- Vaishali

1. Anil Paswan S/o Late Ramdayal Paswan @ Late Satyanarayan Paswan Resident of Village- Dayalpur, PS- Baranti, Distict- Vaishali
2. Navin Kumar @ Navin Kumar Paswan S/o Mohan Paswan R/o vill - Nari Mahathi Khur @ Nari Khurd, P.S. - Tisiauta, Distt.- vaishali
3. Pravin Kumar S/o Mohan Paswan R/o vill - Nari Mahathi Khur @ Nari Khurd, P.S. - Tisiauta, Distt.- vaishali
4. Rekha Devi W/o Mohan Paswan, D/o Late Ramdayal Paswan @ Late Satyanarayan Paswan R/o vill - Nari Mahathi Khur @ Nari Khurd, P.S. - Tisiauta, Distt.- vaishali
5. Pramod Paswan S/o Sadhu Paswan R/o vill - Rajajan, P.S.- Mohiuddinnagar, Distt.- Samastipur
6. Sulekha Devi W/o Pramod Paswan R/o vill - Rajajan, P.S.- Mohiuddinnagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-12-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 302, 201 and 120(B) of the Indian Penal Code.

3. The prosecution case, in brief, is that on 03.05.2023, informant's son aged about 12 years had gone to see Barati in marriage of daughter of his villager Kishun Paswan but he did not return till night and on the next morning, his dead body was recovered. The informant claims that Rekha Devi



(petitioner no. 4), under a conspiracy, got her son murdered because several times she had threatened on mobile to commit murder of her family members. The informant believes that all the F.I.R. named accused persons including these petitioners committed murder of her son.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to previous enmity. Informant is not an eye-witness to the occurrence nor any of her family members claimed to have seen the occurrence. As a matter of fact, informant and petitioner no. 4 happen to be Samdhan to each other. Petitioner no. 4 had solemnized marriage of her daughter with another son of informant namely Rahul Kumar on 13.05.2022 and thereafter, on 08.07.2022, informant, her son Rahul Kumar and other family members killed daughter of petitioner no. 4, for which, petitioner no. 4 has lodged Desari P.S. Case No. 273 of 2022 under Sections 304(B)/34 of the Indian Penal Code against informant, her son and others, in which, son of informant Rahul Kumar is in custody and only with a view to take revenge, petitioners and others have been made accused in the present case. Petitioner no. 1 is own brother of petitioner no. 4, petitioner nos. 2 & 3 are sons of petitioner no. 4, whereas



petitioner nos. 5 & 6 are residents of different districts and have got no concern with the alleged occurrence. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate – XI, Vaishali at Hajipur in connection with Desari (Sahadei O.P.) P.S. Case No. 158 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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