

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29320 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- SHAMBHUGANJ District- Banka

1. Anil Paswan Son of Laxmi Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
2. Arun Paswan son of Laxmi Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
3. Gulshan Kumar son of Sunil Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
4. Prashant Kumar son of Anil Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
5. Lakho Devi Wife of Sunil Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
6. Shabnam Devi Wife of Barur Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
7. Jageshwari Devi Wife of Laxmi Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
8. Kalawati Devi Daughter of Anil Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka
9. Ruchi Kumar @ Nisha Kumari @ Bibha Kumari Daughter of Anil Paswan Resident of Village- Malda P.S- Shambhuganj, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-05-2025 Heard the learned Advocate for the petitioners and the

learned APP for the State.

2. The petitioners apprehend their arrest in connection

with Shambhuganj P.S. Case No. 26 of 2025, registered for the

offences punishable under Sections 126(2), 115(2), 329(4),



303(2), 109, 352, 351(2), 3(5) of the B.N.S.S.

3. Allegedly on the fateful day, the petitioners along with others entered into the house of the informant and assaulted the wife and children of the informant, leading to serious injuries. There is allegation that the petitioners and others also snatched valuables and cash of Rs. 50,000/-.

4. Learned Advocate for the petitioners taking this Court through the FIR has contended that there is omnibus nature of allegation against all the persons. In fact on account of a long standing land dispute between the parties, both the sides have entered into a free fight resulting into lodging of the case and counter case being Shambhuganj P.S. Case No. 27 of 2025 lodged by the side of the petitioners. It is further contended that in fact on the alleged date of occurrence, none has sustained any injuries; moreover, the petitioners having fair antecedent undertake before this Court that they would not indulge in such type of activities and would abide by terms and conditions of this Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submit that the petitioners have actively participated in the crime.

6. Regard being had to the submissions made on



behalf of the parties and considering the omnibus nature of allegation, coupled with the factum of case and counter case and the simple injury as well as the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 26 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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