

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31460 of 2025

Arising Out of PS. Case No.-195 Year-2024 Thana- SINDHIYA District- Samastipur

1. Pawan Paswan @ Pwan Paswan @ Pavan Paswan S/O Late Madan Paswan R/O Village- Mahe (Mahen), P.S- Singhiya, Distt.- Samastipur (Bihar).
2. Pramila Devi @ Ramdai Devi W/O Pawan Paswan @ Pwan Paswan @ Pavan Paswan R/O Village- Mahe (Mahen), P.S- Singhiya, Distt.- Samastipur (Bihar).
3. Peadeep Paswan @ Pardeep Paswan @ Pradeep Paswan @ Pradeep Kumar S/O Pawan Paswan @ Pwan Paswan @ Pavan Paswan R/O Village- Mahe (Mahen) P.S- Singhiya, Distt.- Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-05-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Singhiya P.S. Case No. 195 of 2024, registered for the offences punishable under Sections 191(2) 191(3), 190, 126(2), 115(2), 117(2), 74, 303(2), 352 of the Bharatiya Nyaya Sanhita 2023.

3. While the informant engaged in cutting grass, in the meanwhile, the petitioner, Pradeep Paswan came there and started misbehaving with her. On protest being made, her sister-in-law came there, whereupon she was assaulted by means of fists and slaps, and when the son of the informant came to her



rescue, he was also assaulted by the accused persons. There is specific allegation that the petitioner nos. 1 and 3 assaulted the informant by means of iron rod due to which she sustained fracture injury in her arm, whereas petitioner no. 2 has snatched her golden jiutiya.

4. Learned Advocate for the petitioners contended that the present FIR is nothing but a counter blast to Singhiya P.S. Case No. 184 of 2024 instituted by the petitioner no. 1 against the informant and others. The falsity of the allegation is writ large as no injury report is on record which suggests that the informant has sustained any injury nor it has been discussed in the impugned order. The alleged occurrence which is said to have taken place on 17.10.2024, the present FIR came to be lodged on 25.10.2024, i.e., after a delay of 8 days, without there being any plausible explanation. The petitioners are persons of fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State opposes the bail application and submits 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 factum of counter case



as also absence of any injury report, coupled with the delay in lodging of the FIR and the fair antecedent, let the petitioners abovenamed 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 Judicial Magistrate 1st Class, Rosera, Samastipur in connection with Singhiya P.S. Case No. 195 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik 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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