

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38940 of 2025

Arising Out of PS. Case No.-490 Year-2024 Thana- BABUBARHI District- Madhubani

1. Manoj Kumar Paswan S/o Late Chhattu Paswan R/o Village Kharagbani, PS Babubarhi, District Madhubani
2. Bina Devi W/O Manoj Kumar Paswan R/o Village Kharagbani, PS Babubarhi, District Madhubani
3. Lalita Devi W/o Santosh Paswan R/o Village Kharagbani, PS Babubarhi, District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 26-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Babubarhi P.S. Case No. 490 of 2024 instituted for the offences under Sections 191(2), 329(3), 115(2), 126(2), 303(2), 118(1), 109, 352, 76 of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of brutally assaulting the informant and her family members by means of *farsa*, *lathi-danda*, bricks, stones etc.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. There is a longstanding enmity between the parties regarding land. In the alleged occurrence, both the parties sustained injuries. There is a case and counter case between the parties. A counter F.I.R. bearing Babubarhi P.S. Case No. 491 of 2024 was filed by the petitioner no.2 Lalita Devi against the informants' side. Learned counsel for the petitioners further submits that though the allegation against the petitioner no.1 is of assaulting the informant's husband by means of iron *rod* but, from perusal of the injury report, it appears that the injuries sustained by the informant's husband is simple in nature. The injury caused upon all other family members of the informant are also simple in nature. There is no specific or direct allegation of any overt act against the petitioner nos. 2 & 3 rather the same is general and omnibus in nature. It has been submitted on behalf of the petitioners that the petitioner nos. 1 & 2 have no criminal antecedent but, the petitioner no.2 bears on criminal antecedent. It is further submitted that the co-accused Jitendra Paswan has already been granted bail by this Court vide order dated 07.08.2025 passed in Cr. Misc. No. 28950 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating



that the offence alleged is serious in nature.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babubarhi P.S. Case No. 490 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S..

(Rudra Prakash Mishra, J)

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