

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40216 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- SHAMBHUGANJ District- Banka

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1. Bihari Paswan @ Bihar Paswan S/O Binod Paswan Resident of Village-Pipra Tola, PS- Shambhuganj, District- Banka
 2. Veeru Kumar Paswan @ Veeru Paswan S/O Binod Paswan Resident of Village-Pipra Tola, PS- Shambhuganj, District- Banka
 3. Kaari Devi W/O Binod Paswan Resident of Village-Pipra Tola, PS- Shambhuganj, District- 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. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-08-2025 Heard learned counsel appearing on behalf of the

petitioners and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with

Shambhuganj P.S. Case No. 121 of 2024 registered for the

offences under Sections 341, 323, 302, 307, 504, 506 and 34 of

the IPC.

3. All three petitioners are named in the F.I.R. and

are in custody since 07.03.2025.

4. The allegation against the petitioners is to commit

murder of father of the informant along with other co-accused

persons by using *lathi*, rod etc., in the background of land dispute.

5. Learned counsel appearing on behalf of the

petitioners submitted that occurrence took place in the background



of land dispute, as it appears from the facial perusal of the FIR. It is submitted that allegation *qua* causing fatal assault is available against all named co-accused persons and if it is accepted true on its face then certain multiple injuries to be found upon deceased but upon perusal of post-mortem report only single head injury (only single swelling was found on skull) was found upon deceased father of the informant, which proved fatal making accusations doubtful on its face. It is also submitted that co-accused Rajnikatn Paswan has already granted bail by this Court through Cr. Misc. No. 11265 of 2025 dated 23.07.2025. While concluding the argument it is submitted that petitioners are of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. As per submission of learned counsel of the petitioner not even single witness has been examined in this case, till now.

8. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as allegation *qua* fatal assault is appearing very much general and omnibus *qua* all above named petitioners, where allegation raised in the background of



land dispute, coupled with the fact as petitioners are in custody since 07.03.2025, accordingly, all petitioners, above named, are directed to be released on bail in connection with Shambhuganj P.S. Case No. 121 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/concerned court, subject to the conditions as mentioned under Section 480(3) of the BNSS with further conditions :-

(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J.)

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