

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39666 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- BAUNSI District- Araria

1. Bindeshwari Paswan S/O Late Jagat Lal Paswan @ Jagat Paswan Resident of village- Araria Tola, ward no. 5, Bhawani Nagar, PS- Bausi, Distt-Araria
2. Ramni Devi W/O Bindeshwari Paswan Resident of village- Araria Tola, ward no. 5, Bhawani Nagar, PS- Bausi, Distt-Araria
3. Gauri Kumari @ Shivani Devi W/O Santosh Paswan @ Santosh Kumar Paswan Resident of village- Araria Tola, ward no. 5, Bhawani Nagar, PS- Bausi, Distt-Araria
4. Santosh Paswan @ Santosh Kumar Paswan S/O Rudal Paswan @ Rudranan Paswan Resident of village- Araria Tola, ward no. 5, Bhawani Nagar, PS- Bausi, Distt-Araria
5. Meena Devi W/O Rudal Paswan @ Rudranan Paswan Resident of village- Araria Tola, ward no. 5, Bhawani Nagar, PS- Bausi, Distt-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Bausi P.S. Case No. 57 of 2025 for the offence under Sections 191(2), (3), 190, 126(2), 115(2), 118(1), 121(1), (2), 132, 109, 221, 263 and 125 of the Bhartiya Nyay Sanhita.

3. As per the prosecution story, on 27.03.2025, informant – *Vikas Paswan* received information that *Vikash Kumar Paswan* who is accused in Mahila P.S. Case No. 17 of



2025 for the offences punishable under Section 65(2) of Bhartiya Nyay Sanhita and Section 6 of POCSO Act, was hidden in the house of his relative namely *Bindeshwari Paswan*. When the police team entered the house of *Bindeshwari Paswan*, it is alleged that he ordered his family members to beat all the police personnels. Thereafter, *Santosh Paswan* assaulted the SHO – *Prakash Dwivedi* by means of lathi which caused him injury on his head. Another co-accused namely, *Rudal Paswan* assaulted the informant on his head and chest and he sustained injury. All the F.I.R. named accused persons brutally assaulted the remaining police team and obstructed the duty of police. Later on injured police personnels were admitted in Raniganj Hospital.

4. Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in this case due to high handedness of the police officials. During investigation, the statements of police witnesses and members of the raiding party are vague and general in nature, without assigning any specific role or injury attributable to the individual petitioners. This further substantiates that the petitioners have been roped in mechanically and falsely, without any credible material on record. Learned counsel further



submits that the police raided the house of the petitioners late night without any cogent reason or lawful justification, merely on vague suspicion. It is important to note that neither the petitioners nor any of their family members were accused in the case for which the raid was conducted, nor they have any relationship or connection with the said accused person namely Vikash Kumar Paswan.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioner submits that in the impugned order it is mentioned that all the injured persons have sustained simple injury and the allegation against the petitioners is general and omnibus in nature. The photocopy of injury report also supports this fact. Keeping in view the aforesaid facts, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria, in connection with Bausi P.S. Case No. 57 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as



also with the following conditions:-

(i) One of the bailors should be close relative of the petitioners.

(ii) Petitioners shall co-operate in the trial and shall be present on each and every fixed date till framing of charge and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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