

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41993 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Sobhit Paswan S/o Langar Paswan R/o village- Bhagwatpur Patedha, P.S-Sarai, District-Vaishali
2. Krishna Devi W/o Jagdhir Paswan R/o village- Bhagwatpur Patedha, P.S-Sarai, District-Vaishali
3. Nilam Devi W/o Ramesh Paswan R/o village- Bhagwatpur Patedha, P.S-Sarai, District-Vaishali
4. Kajal Kumari D/o Jagdhir Paswan R/o village- Bhagwatpur Patedha, P.S-Sarai, District-Vaishali
5. Sudha Devi W/o Bikash Kumar R/o village- Bhagwatpur Patedha, P.S-Sarai, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 15-10-2025 Heard Mr. Priyesh Kumar, learned Counsel for the
petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 41 of 2025 for the offence registered under sections 103(1) and 3(5) of B.N.S. lodged on 15.02.2025 by the informant, Seeta Devi.

3. As per the prosecution story, the informant alleged that when her husband had gone to attend the nature's call, all the accused persons caught hold of him and further Jagdhir Paswan pressed his mouth while Ramesh Paswan and Vikash Paswan pressed his neck. As the locals rushed to the place, he was



found dead, this led to the FIR.

4. Learned Counsel for the petitioners submits that a perusal of the FIR would show that allegation is mainly against Jagdhir Paswan, Ramesh Paswan and Vikash Paswan of having pressed his mouth/neck and later he was found dead. Only to implicate all the family members, the role of having caught hold of her husband has been assigned to these petitioners, four of whom are ladies, they have no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the post-mortem report shows that the cause of death is due to pressing of neck.

6. Taking into account the submissions of the parties as also the fact that mainly it is against Jagdhir Paswan, Ramesh Paswan and Vikash Paswan, four of the present petitioners are ladies, allegation against all five is/are of having caught hold of husband of the informant, they do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with condition.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing



bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali in connection with Bhagwanpur P.S. Case No. 41 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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