

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48033 of 2025**

Arising Out of PS. Case No.-118 Year-2025 Thana- SHIVSAGAR District- Rohtas

1. Saroj Paswan @ Saroj Kumar Paswan son of Gobind Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
2. Ram Gobind Paswan Son of Late Dukhi Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
3. Chavi Paswan Son of Ram Gobind Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
4. Ram Dayal Paswan @ Dinanath Paswan Son Of late Dukhi Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
5. Alakh Paswan Son of Late Dinannath Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
6. Raushan Paswan son of Late Dukhi Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
7. Baban Paswan @ Brijnandan Paswan Son of Raushan Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
8. Upendra Paswan son of Nagina Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas
9. Kanhaiya Paswan Son of Nagina Paswan village- Churiya, Po- Thanua, ps- Shivsagar, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Rewti Kant Raman, Advocate     |
| For the Informant    | : | Mr. Rajesh Kumar Choubey, Advocate |
| For the State        | : | Mr. Mohammed Arif, APP             |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-08-2025                      Heard Rewti Kant Raman, learned counsel for the petitioners, Mr. Rajesh Kumar Choubey, learned counsel for the Informant and Mr. Mohammed Arif, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Shivsagar P.S. Case No. 118 of 2025, F.I.R.



dated 07.04.2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 109, 115(2), 351(2), 303(2), 324(4) of the B.N.S.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted the informant and his family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that due to admitted land dispute the present occurrence had taken place and one Title Suit No. 70 of 2025 is going on between the parties and there is case and counter case between the parties. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and the informant and petitioners are agnates to each other. Although, they have received injuries but the injury report of the injured persons suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned counsel for the Informant as well as



learned APP for the State have vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and with a common intention they have assaulted to the injured persons including the informant.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedent and the injury inflicted upon the injured persons are simple in nature as well as there is case and counter case between the parties and one Title Suit is pending between the parties, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas in connection with Shivsagar P.S. Case No. 118 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the



Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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