

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43022 of 2025

Arising Out of PS. Case No.-416 Year-2024 Thana- BAIRIYA District- West Champaran

Niraj Kumar @ Niraj Paswan S/o Late Uma Shankar Paswan R/o village-
Laukariya Mushar Toli, Ward 3, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bairiya
P.S. Case No. 416 of 2024 dated 25.11.2024 registered for the
offences punishable under Sections 191(2), 329(3), 352, 115(2),
118(2) and 103(1) of B.N.S.

3. As per the prosecution case, on 24.11.2024 at about
9.00 P.M., the petitioner and the other co-accused persons are
alleged to have come at the door of the informant and the co-
accused Khelawan Paswan abused the informant's father and on
protest, he brought 'Gadasa' from his house and also called
other accused persons and on the order of the other co-accused
persons, the co-accused Khelawan Paswan, assaulted on the



head of the informant's father with 'Gadasa', due to which, he got unconscious. He was brought to P.H.C., Bairiya and from where he was referred to G.M.C.H., Bettiah, for better treatment and in course of his treatment, he died. It is further alleged that America Manjhi and Achhel Lal Manjhi were also assaulted when they came to pacify the matter and they were also treated at G.M.C.H., Bettiah.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation of assault on the deceased against the petitioner rather the same is against the co-accused Khelawan Paswan. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from his possession. The other co-accused person has already been granted bail by this court *vide* order dated 24.03.2025 passed in Cr. Misc. No. 15066/2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 27.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 416 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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