

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64026 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- BATHWARIA District- West Champaran

1. Pawan Paswan @ Pawan Kumar Paswan S/O Umesh Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
2. Shivshankar Paswan S/O Gagandeo Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
3. Kanhaee Pasawn @ Kanhaiya Paswan S/O Vipat Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
4. Praduman Paswan @ Praduman Kumar S/O Indrashan Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
5. Anant Paswan @ Anand Kumar Paswan S/O Gagandeo Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
6. Umesh Paswan @ Umesh Manjhi S/O Late Mohan Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
7. Srimati Devi W/O Manoj Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran
8. Risha Devi @ Rita Devi W/O Nageshwar Manjhi @ Nageswar Paswan Resident of Village- Tesarahiya, Ward No 5, P.S.- Baithwariya in Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. K M Joseph, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-09-2025 1. Heard learned counsel for the petitioners and Mr. Parmanand Kumar, learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 76, 303(2), 190, 191(2) and 191(3) BNS.
3. Learned counsel for the petitioners submits that



petitioners are persons with clean antecedent and petitioners no. 7 and 8 are women and the informant (Prabhu Ram) alleges that on account of previous dispute, accused persons including the petitioners came and started abusing. On protest, Pawan Paswan (petitioner no. 1) assaulted him by an iron rod causing fracture of right hand and Umesh Paswan (petitioner no. 6) assaulted him by lathi causing fracture of his shoulder. Thereafter, Praduman Paswan (petitioner no. 4) assaulted Sriram Ram, the father of the informant with spear causing injury on his face and leg and Shivshankar Paswan (petitioner no. 2) assaulted by lathi causing fracture of left hand of Sriram Ram while Kanhaee Paswan (petitioner no. 3) assaulted Purnavasi Ram by sword causing injury on his head. Thereafter, Shivshankar Paswan, Kanhaee Paswan and Golu Paswan assaulted his brother causing injury. Further, Golu Paswan, Risha Devi (petitioner no. 8) and Srimati Devi (petitioner no. 7) assaulted his mother by bamboo causing injury on her legs and Golu torn her blouse and Risha Devi (petitioner no. 8) snatched her mangalsutra.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that the occurrence is alleged to have been taken place on 14.03.2025 but then



fardebayan of the informant was recorded by the police at GMCH on 23.03.2025 i.e. after a delay of nine days. It is next submitted that though specific allegation of assault is alleged against the named accused persons i.e. petitioners no. 1, 2, 3 and 4 but then no specific allegation of assault is alleged against the petitioners no. 5 and 6 and the allegation against the women member of the family is exaggerated and they have been implicated only with a view to coerce the male members of the family into submission. It is also submitted that though the order impugned records the expert opinion of the injury caused to Sriram Ram wherein it has been opined that fracture was seen in mid-anterior and right parasymphysis region and also on shaft of radius and ulna of Sriram Ram but then the case diary does not record the injury suffered by rest of the injured. It is submitted that 14.03.2024 was a day of Holi and on that date two groups had clashed and from the side of the petitioners also Bathwariya P.S. Case No. 20 of 2025 dated 23.03.2025 was instituted against the side of the informant and others.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but fairly submits that the order impugned does not record about the injury suffered by other injured except Sriram Ram but then Praduman Paswan @



Praduman Kumar (petitioner no. 4) is alleged to have assaulted Sriram Ram the father of the informant.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no. 4 (Praduman Paswan @ Praduman Kumar), hence, his prayer for anticipatory bail is rejected.

7. Let rest of the petitioners, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bathwariya P.S. Case No. 19 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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