

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58553 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- KRISHNAGARH District- Bhojpur

1. Hari Khen Paswan @ Harkhen Kumar Son of Shankar Paswan Resident of Village- Gundi, P.S.- Krishnagarh, District- Bhojpur.
2. Sagar Paswan Son of Shankar Paswan Resident of Village- Gundi, P.S.- Krishnagarh, District- Bhojpur.
3. Munni Devi D/o Shankar Paswan Resident of Village- Gundi, P.S.- Krishnagarh, District- Bhojpur.
4. Shankar Paswan S/o Late Shio Janam Paswan Resident of Village- Gundi, P.S.- Krishnagarh, District- Bhojpur.
5. Shila Devi W/o Shankar Paswan Resident of Village- Gundi, P.S.- Krishnagarh, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioners and the learned APP for the State.

2. At the outset, learned counsel for the petitioners submits that he shall not be pressing anticipatory bail application on behalf of petitioner no. 2 Sagar Paswan @ Sagar Kumar Paswan.

3. The anticipatory bail application on behalf of petitioner no. 2 Sagar Paswan @ Sagar Kumar Paswan is dismissed as not pressed.



4. The petitioners no. 1, 3, 4 and 5 seek bail in anticipation of their arrest in connection with Krishnagarh P.S. Case No. 63 of 2025 instituted for the offences under Sections 126(2), 125, 352, 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. As per the prosecution story, the informant has alleged that the named accused persons including the petitioners threatened the informant and assaulted her causing injuries.

6. Learned counsel for the petitioners submit that there is general and omnibus allegation levelled against all barring the petitioner no. 2 Sagar Paswan @ Sagar Kumar Paswan. It is further submitted that the petitioners and the informant are agnates and due to a long standing land dispute this false case has been lodged against them. It has lastly been submitted that petitioners no. 1, 3 and 5 have one criminal case against their names whereas petitioner no. 4 Shankar Paswan has four criminal cases to his credit, out of which two are counter case.

7. Learned APP has vehemently opposed the prayer for anticipatory bail of the petitioners.

8. Considering the facts aforesaid, the petitioners no. 1, 3, 4 and 5 are directed to be released on bail, in the event of



their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VII, Bhojpur at Ara in connection with Krishnagarh P.S. Case No. 63 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as following conditions:-

(i) One of the bailors will be a close relative of the petitioners;

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners no. 1, 3, 4 and 5 except the cases which are already mentioned in the application 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 bonds of the petitioners. However, the



acceptance of bail bonds in terms of the above mentioned order shall not be delayed for the purpose of the same or in the name of verification.

(v) the petitioners shall co-operate with the investigating agency, failing which the bail bond of the petitioners shall liable to be cancelled by the Court concerned.

9. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

10. The application stands disposed of accordingly.

(Sourendra Pandey, J)

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