

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65400 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Hira Paswan S/O Upendra Paswan R/O Village- Diyantpur, P.S.- Bibhutipur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-09-2025 Heard Mr. Prem Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Pawan Kumar Chaurasia,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bibhutipur P.S. Case No. 30 of 2025 registered for the
offence(s) punishable under Sections 329(3), 329(4), 126(2),
127(2), 115(2), 118(I), 109, 352, 351(2), 303(2), 3(5)
of the BNS.

3. As per the allegation made in the FIR the petitioner
along with other accused assaulted the informant and his family
members with an intention to kill.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely
been implicated in the present case. There is case and counter



case between the parties arising out of the same incidence arising out of the same incidence. A general and omnibus allegation has been leveled against the petitioner. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, there is case and counter case lodged between the parties arising out of the same incidence, the petitioner is having clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 30 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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