

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71417 of 2025

Arising Out of PS. Case No.-271 Year-2025 Thana- PAKRIDAYAL District- East Champaran

1. Shiv Paswan S/o Late Prasad Paswan R/o village- Chaita Daghnिया Tola, P.S.- Pakaridayal, Dist.- East Champaran
2. Sandip Paswan S/O Shiv Paswan R/o village- Chaita Daghnिया Tola, P.S.- Pakaridayal, Dist.- East Champaran
3. Sunil Paswan S/O Udeshi Paswan R/o village- Chaita Daghnिया Tola, P.S.- Pakaridayal, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar Ii, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners seeks bail in connection with Pakaridayal P.S. Case No. 271 of 2025, registered for the offences under Sections 191(2), 191(3), 190, 329(3), 126(2), 115(2), 127(2), 118(2), 109, 125(a), 117(2), 324(4), 352, 351(2) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, petitioners and other co-accused persons who were variously armed came to the doors of the informant and brutally assaulted the husband of the informant causing injuries to him. They also assaulted the



informant, her nephew and damaged the house of her nephew.

4. Learned counsel appearing on behalf of the petitioners submit that petitioners are innocent and have been falsely implicated in this case. Altogether 12 persons have been made accused in this case but the injury report of the husband of the informant falsifies the allegation as only two injuries were found on the husband of the informant and these are lacerations. The allegation of assault is by *gadasi*, *bhala* and iron rod. It is apparent from the FIR that the occurrence took place over the acts of children. There is counter version of the present case and the mother of the petitioner no. 3 has filed Pakaridayal P.S. Case No. 275 of 2025 against the informant and her family. The petitioner no. 1 and 2 have no criminal antecedent and petitioner no. 3 has only one criminal antecedent. They are in custody since 11.06.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the absence of injuries alleged in the FIR and further considering the period of custody and submission of charge-sheet, the petitioners are directed to be released on bail, on furnishing bail



bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pakaridayal P.S. Case No. 271 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other 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 three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Siddharth Soni/-

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