

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74575 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- PARSATHUA District- Rohtas

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1. Sunil Kumar Paswan @ Sunil Paswan S/o- Sitaram Paswan Resident of Village- Karmchhata Police Station- Parasathua District- Rohtas
 2. Saroj Paswan S/o- Sita Ram Paswan Resident of Village- Karmchhata Police Station- Parasathua District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh, Adv.
For the State	:	Mr.Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Babu Nandan Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-11-2025 Heard learned Advocate for the petitioners and learned Additional Public Prosecutor for the State as well as the informant.

2. The petitioners apprehend their arrest in connection with Parasthua P.S. Case No. 57 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109(1), 303(2), 76, 352, 351(2), 3(5) of BNS, 2023.

3. In the morning of the fateful day, while the son of the informant was filling soil, in the meanwhile, all the FIR named accused persons, including the petitioners, variously armed with *lathi*, *danda*, *farsa* and *tangi* came there and started assaulting him. It is specifically alleged that petitioner No. 1 assaulted the son of the informant by means of *tangi* over his head and when the grand son of the informant came to his rescue, he was also



assaulted by co-accused Munna Paswan and Rakesh Paswan. There is allegation against petitioner No. 2 of snatching valuables, besides outraging the modesty of the informant.

4. Learned Advocate for the petitioners submitted that the genesis of the occurrence as is evident from the FIR clearly suggests land dispute which resulted into institution of case and counter case being Parasthua P.S. Case No. 58 of 2025 instituted from the petitioners' side against the informant and others. So far the injury which is allegedly attributed to petitioner No. 1 is concerned, out of three injuries, two of them have been found to be simple in nature and with regard to injury No. 3 that talks about the pain over the back side, however, opinion has not been disclosed on account of non availability of X-ray report. It is further contended that so far the allegation against petitioner No. 2 of snatching valuables is concerned, the same is concocted one. Outraging the modesty of the informant is completely denied by the petitioners. The petitioners are men of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court and would not indulge in such activity in future.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the bail application and



submitted that besides the active participation of the petitioners in the crime, the informant was also sustained grievous injury at the hands of the accused persons.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the factum of case and counter case, coupled with the nature of accusation attributed against the petitioners, besides the simple injury sustained to the son of the informant, which is attributed to petitioner No. 1 as well as the fair antecedent of the petitioners, let the petitioners abovenamed 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, upon furnishing bail bonds 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, Sasaram, Rohtas in connection with Parasthua P.S. Case No. 57 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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