

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74796 of 2025

Arising Out of PS. Case No.-172 Year-2025 Thana- BASOPATTI District- Madhubani

1. Raju Paswan S/o Mahendra Paswan @ Maheshwar Paswan Resident of village - Mahinathpur, P.S - Basopatti, District - Madhubani
2. Satya Narayan Paswan S/o Mahendra Paswan @ Maheshwar Paswan Resident of village - Mahinathpur, P.S - Basopatti, District - Madhubani
3. Shatrughan Paswan S/o Mahendra Paswan @ Maheshwar Paswan Resident of village - Mahinathpur, P.S - Basopatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Bhavesh Kumar Sah, Adv. Ms. Archana Anand, Adv.
For the Opposite Party/s	:	Mr. Tapeswar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Basopatti P.S. Case No. 172/2025 registered for the offences punishable under Sections 191(1), 191(2), 190, 126(2), 115(2), 118(1), 109, 303(2), 132, 121(1), 121(2), 352 and 351(2) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, on 23.07.2025 co-accused Bharat Paswan was stopped by the constable Raju Kumar Ram and on enquiry he disclosed that he was going to Nepal carrying fertilizer. Raju Kumar Ram asked to get the sack checked but the same was protested by Bharat Paswan due to



which a verbal scuffle took place between them and said Bharat Paswan called his brother Lal Mohan Paswan and 50-60 people gathered and the said group was led by co-accused Lal Mohan Paswan. It is alleged that the mob pushed constable Ram Kumar Ram and started abusing and assaulting him and in the meantime, unknown person fired upon constable Ram Kumar Ram with intention to kill. It is further alleged that mob surrounded constable Ram Kumar Ram and started assaulting him and they also pelted stone on the police officials. Thereafter Raju Kumar Ram fired three rounds from his rifle in his defence. On the basis of CCTV footage, the petitioners and others are said to have participated in the alleged occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case due to village politics and previous enmity. There is no specific over-act against the petitioners, rather allegations are general and omnibus in nature. From perusal of FIR, it appears that unknown person fired upon Raju Kumar Ram with intention to kill. He further submits that the petitioners are members of mob and the petitioners bear no criminal antecedent. No arms has been recovered from the possession or



their house of the petitioners.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners are FIR named accused and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, there is no specific over-act against the petitioners, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Madhubani, in connection with Basopatti P.S. Case No. 172/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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