

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 79663 of 2025**

Arising Out of PS. Case No.-282 Year-2025 Thana- SABAUR District- Bhagalpur

1. Prayag Paswan S/o Late Shanti Paswan @ Sant Lal Paswan R/o village - Chandheri, P.S - Sabour, District - Bhagalpur
2. Kishu Paswan @ Kishor Kumar Paswan S/o Prayag Paswan R/o village - Chandheri, P.S - Sabour, District - Bhagalpur
3. Dishu Paswan S/o Prayag Paswan R/o village - Chandheri, P.S - Sabour, District - Bhagalpur
4. Shravan Paswan @ Shrawan Kumar S/o Prayag Paswan R/o village - Chandheri, P.S - Sabour, District - Bhagalpur
5. Fuko Paswan @ Ramesh Paswan S/o Late Shanti Paswan @ Sant Lal Paswan R/o village - Chandheri, P.S - Sabour, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Kharem, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      03-12-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with Sabour P.S. Case No. 282 of 2025, dated 08.08.2025, lodged under Sections 126(2), 115(2), 76, 303(2), 351(2), 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against four named accused persons, alleging that they fired a *desi katta* and also assaulted the informant with the *katta*. The FIR also contains an allegation of outraging the modesty of the informant against two of the petitioners.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. He further submits that, due to overzealousness, the present case has been filed against the petitioners. He further submits that both the informant's side and the petitioners' side are residents of the same village and the entire scuffling took place only due to a petty dispute over throwing sewage water on the land. He further submits that, for the same date and place of occurrence, cases and counter-cases have been lodged between the parties, the petitioners' side has filed Sabour P.S. Case No. 283 of 2025, while the informant's side has lodged Sabour P.S. Case No. 282 of 2025. He further submits that all the allegations made in the FIR are false and constitute a concocted story. He further submits that the criminal antecedents of all the petitioners are clean, except Petitioner No. 3, against whom one criminal case is pending, in which he is on bail. He also submits that the petitioners are ready to comply with any conditions that this Court may impose.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there are five petitioners, with specific allegations against petitioner Nos. 2, 3, and 5, namely, Kishu Paswan, Dishu Paswan, and Fuko Paswan.

6. As such, in the present facts and circumstances of



this case, let the petitioner Nos. 1 & 4, namely, Prayag Paswan & Shravan Paswan be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Bhagalpur, in connection with Sabour P.S. Case No. 282 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail applications of the petitioner Nos. 2, 3 & 5, namely, Kishu Paswan, Dishu Paswan and Fuko Paswan are concerned, their bail applications are hereby rejected, with a liberty that in case, the petitioner Nos. 2, 3 & 5 surrender within six weeks before the Trial Court, then the Trial Court is directed to pass order on their surrender-cum-bail applications on the same day without being prejudice that the anticipatory bail of the petitioner Nos. 2, 3 & 5 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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