

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83754 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Bikash Kumar @ Vikash Paswan S/O Ramesh Paswan, R/o vill - Laliyahi,
Katihar, P.O. - Katihar, P.S.- Sahayak, Distt.- Katihar, Address as per Aadhar
card of his father, R/o Gopipur, Hingua, P.S.- Bhargama, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-12-2025 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Nagar P.S. Case No.176 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 352, 351(2), 351(3) of the BNS and Section 27 of the Arms Act.

3. With regard to an occurrence which took place in the previous day, while the son of the informant was going to the police station for giving information, in the meanwhile, he was surrounded by six named accused persons, including the petitioner along with 20-25 unknown persons. It is specifically alleged that the accused persons snatched the golden chain of



the informant's son and when he tried to flee away from the place of occurrence, on the exhortation made by Ghanshyam Yadav @ Chhotu Yadav, this petitioner fired upon him; however, the bullet did not hit him.

4. Learned Advocate for the petitioner referring to the FIR contended that besides the fact that the parties are neighbour and there is previous dispute between them, the person of the petitioner's side has also instituted Nagar P.S. Case No.178 of 2025 against the son of the informant. Other co-accused persons, including Ghanshyam Yadav @ Chhotu Yadav, who also played a vital role in the occurrence, have been allowed the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No.48220 of 2025 vide order dated 17.09.2025, taking into consideration that the prosecution has not brought on record the apparent injury on the person of the victim. Moreover, the allegation of firing against the petitioner also does not corroborate for the reason that no cartridge has been recovered from the place of occurrence. It is the admitted position that in the incident the informant's son has not sustained any injury. The petitioner though bears one criminal antecedent of the year 2018; however, he is on bail in the said case.



5. On the other hand, learned Advocate for the State submitted that because of good-luck of the informant's son, he any how survived, though the petitioner has specifically fired upon him.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that in the incident the informant's son has not sustained any injury, besides other co-accused persons have been allowed the privilege of anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Nagar P.S. Case No.176 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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