

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84319 of 2025

Arising Out of PS. Case No.-245 Year-2025 Thana- SUGAULI District- East Champaran

1. Sikinder Paswan S/O Harendra Paswan R/O Vill. - Panjiarva, P.S - Sugauli, Dist- East Champaran
2. Jhali Devi W/O of Sikinder Paswan R/O Vill. - Panjiarva, P.S - Sugauli, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Sugauli P.S. Case No. 245 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 76, 303(2), 352, 351(2), 3(5) of the BNS.

3. On account of a dispute with regard to auto fare, it is alleged that the petitioner No. 1 exhorted other accused persons to assault, whereupon they have brutally assaulted the informant and his family members. It is further alleged that petitioner No. 1 assaulted the informant by means of iron rod on his abdomen and dragged the daughter of the informant by holding her neck. There is allegation against petitioner No. 2 of



causing assault to the informant along with other accused persons.

4.Learned Advocate for the petitioners referring to the FIR contended that with respect to an occurrence which took place on 29.04.2025, the present FIR came to be instituted on 09.05.2025 after a delay of 10 days, however, without any plausible explanation. In fact, on account of a trifle, the present occurrence took place which led to some unfortunate injuries. On instruction, learned Advocate submits that the injuries which are allegedly sustained to the informant and his daughter are concerned, the same have been found to be simple in nature. The petitioner No. 1 bears one criminal antecedent, whereas petitioner No. 2 is carrying fair antecedent; moreover both of them undertake before this Court that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of unexplained delay in lodging of the FIR and the simple nature of injury, as stated by the learned Advocate for the



petitioner, coupled with the nature of accusation and the weapon used in the crime, 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 Judicial Magistrate, First Class cum Additional Munsif, Motihari in connection with Sugauli P.S. Case No. 245 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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