

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85994 of 2025

Arising Out of PS. Case No.-439 Year-2025 Thana- MUFFASIL District- West Champaran

1. Krishna Paswan S/o- Vindhyachal Paswan
 2. Prem Paswan S/o- Late Vindhyachal Paswan
 3. Sanjit Paswan S/o- Harilal Paswan
 4. Nagina Paswan S/o- Lalbahadur Paswan
- All are resident of Village - Lalgadh W.No-5, PS- Bettiah Muffasil Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-12-2025 Heard learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bettiah Muffasil P.S.Case No.439 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 352, 324(2) and 3(5) of BNS and Section 37 of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, petitioners including other accused persons abused and assaulted the informant and his other family members.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioners and the informant are agnates and the specific allegation of assault is against the petitioner no.4, namely, Nagina Paswan, who assaulted the mother of the informant with iron rod, due to which she sustained head injury.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties and in view of the fact that the specific allegation of assault is against petitioner no.4, Nagina Paswan, petitioners no.1, 2 and 3, as named above, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-I, Bettiah, West Champarn in connection with Bettiah Muffasil P.S.Case No.439 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS.

7. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been



stated in paragraph No.3 of the bail application, this order will automatically lose its force.

8. So far as petitioner no.4 (Nagina Paswan) is concerned, the learned district court is directed to call for the injury report of the mother of the informant and verify as to whether as per the opinion of the Doctor, the injury is simple in nature and in case, it is found to be simple in nature, the petitioner no.4 shall be released on pre-arrest bail in connection with Bettiah Muffasil P.S.Case No.439 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS and the other conditions, as the learned district court deems fit and proper.

9. The present application is accordingly disposed of.

(Purnendu Singh, J)

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