

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4126 of 2026

Arising Out of PS. Case No.-103 Year-2025 Thana- ANGARGHAT District- Samastipur

1. Mithilesh Paswan @ Mithilesh Kumar Paswan Son of Sitaram Paswan Resident of Vill. and P.O - Harpur Rewari, Ward No.-5, P.S - Angarhat, District - Samastipur, 848134.
2. Brajesh Paswan @ Brajesh Kumar Son of Sitaram Paswan Resident of Vill. and P.O - Harpur Rewari, Ward No.-5, P.S - Angarhat, District - Samastipur, 848134.
3. Avdhesh Paswan @ Avdhesh Kumar Son of Sitaram Paswan Resident of Vill. and P.O - Harpur Rewari, Ward No.-5, P.S - Angarhat, District - Samastipur, 848134.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar Karn, Advocate
For the State	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Hemant Kumar Karn, learned counsel for the petitioners and Mr. Harendra Prasad, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Angarghat P.S. Case No. 103 of 2025, F.I.R. dated 27.08.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 103(1), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. Allegation against the petitioners is that they have assaulted the daughter-in-law of the informant due to which she



died.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. Learned counsel for the petitioners further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that the F.I.R. is in two parts, in first part, there is specific allegation of assault is against co-accused person namely, Akhilesh Paswan @ Akhilesh Kumar and in second part, there is general and omnibus allegation against all the accused persons including the petitioners and co-accused Akhilesh Paswan @ Akhilesh Kumar is in judicial custody since 23.12.2025 and apart from aforesaid it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 24.08.2025 but the F.I.R. was instituted on 27.08.2025 after delay of three days without giving any explanation of delay and apart from that there is no specific allegation of any assault or overt act attributed against these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case



and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act attributed against these petitioners in the F.I.R., let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 learned Judicial Magistrate, 1st Class, Dalsingsarai, Samastipur in connection with Angarghat P.S. Case No. 103 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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