

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4379 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- DINARA District- Rohtas

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1. Subhas Paswan @ Subash Paswan S/o Rameshwar Paswan R/o Village - Belwaeya, P.S - Dinara, District - Rohtas at Sasaram
 2. Biru Kumar @ Biru Ram S/o Mohan Ram R/o Village - Belwaeya, P.S - Dinara, District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar Paswan, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Dinara P.S. Case No. 363 of 2025, instituted for the offences under Sections 191(2), 191(3), 190, 221, 132 and 109 of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that informant, who is Revenue Officer in Dinara Circle, was engaged on duty for maintaining law and order as there was problem between two parties i.e. Sheoji Singh @ Babuaji and other side villagers in 200-300 in number with respect to land dispute. It is alleged that firing was also made between the parties.



4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Charge-Sheet has been submitted in this case. He further submitted that nobody is injured in this case. The occurrence took place due to land dispute. No incriminating article has been recovered from the conscious possession of the petitioners. No specific allegation is attributed against the petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 01.08.2025. The petitioner No.1 has five criminal antecedents, whereas petitioner no.2 has four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dinara P.S. Case



No. 363 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the prosecution will have liberty to move for cancellation of bail.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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