

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4667 of 2026

Arising Out of PS. Case No.-272 Year-2025 Thana- KONCH District- Gaya

1. Rakesh Paswan @ Rakesh Kumar S/o Hari Paswan R/o Village- Alpa, PS- Konch, District- Gaya
2. Rajesh Paswan @ Gorelal S/o Sajivan Paswan R/o Village- Alpa, PS- Konch, District- Gaya
3. Kaushal @ Kaushal Paswan @ Kaushal Kumar S/o Ramanand Paswan R/o Village- Alpa, PS- Konch, District- Gaya
4. Ramakant Kumar @ Ramakant Paswan S/o Ramashish Paswan @ Ramsiya Paswan R/o Village- Alpa, PS- Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Vardhan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 352, 351(2), 324(2), 117(2) and 110 of the BNS as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of three cases but then the cases were instituted on account of dispute relating to land and the petitioners are on bail. It is further submitted that informant alleges that on 11.05.2025, a Barat had come to his relative's



place. Further, he had gone to see Barat when he saw 21 named accused persons including the petitioners along with 10 unknown accused cutting soil from his land by a JCB. On objection, Rajesh assaulted the informant by rod on head, while Vinod assaulted by rod causing fracture of left hand, thereafter, all accused assaulted by lathi and rod and, thereafter, Rajesh assaulted his nephew, namely, Anuj by rod causing injury on hand and also damaged his motorcycle, when villagers gathered, Rajesh fired and threatened that he will implicate them in Harijan's case.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that as far as petitioner no. 1, 3 and 4 are concerned, the allegation against them is general and omnibus in nature and petitioner no. 2 (Rajesh Paswan @ Gorelal) is alleged to have assaulted the informant by rod causing injury on head but then from perusal of the injury report of the informant annexed as Annexure-2, at page 20, it would manifest that the same records pain with mild diffuse swelling over left hand, abrasion over right (RT) little finger, back pain caused by hard and blunt object. It is, thus,



submitted that no injury is recorded on head which amply demonstrates the false implication of the petitioners. It is next submitted that petitioner no. 2 is alleged to have assaulted Anuj but then the injury suffered by him has been opined to be simple in nature as would manifest from Annexure-2 to the anticipatory bail application itself and there is delay of three days in instituting the FIR which also casts an aspersion on the case of the prosecution. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Konch P.S. Case No. 272 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.



7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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