

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5027 of 2026

Arising Out of PS. Case No.-491 Year-2025 Thana- BARUN District- Aurangabad

1. Dharmendra Kumar S/o- Yogendra Paswan R/v- Ajad Bigha Ps- Jamhore Dist- Auangabad
2. Suraj Kumar @ Nagendra Paswan @ Suraj S/o- Yogendra Paswan R/v- Ajad Bigha Ps- Jamhore Dist- Auangabad
3. Sachin Kumar S/o- Sikandar Paswan R/v- Ajad Bigha Ps- Jamhore Dist- Auangabad
4. Bhuneshwar Kumar @ Chhotu S/o- Balimitra Paswan R/v- Ajad Bigha Ps- Jamhore Dist- Auangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-02-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Barun P.S. Case No.491 of 2025, G.R. No.3220 of 2025, lodged on 28.10.2025, for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS, 2023, pending before the Court of C.J.M., Aurangabad.

3. As per the prosecution, FIR has been lodged against four named accused persons including the petitioners with



allegation that they have assaulted the informant by lathi and iron rod (kanti) and also to his younger brother due to which he became injured.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that both parties are resident of same village and they are well-known to each other. He submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. The informant has lodged case i.e., Barun P.S. Case No.491 of 2025 (present case) and the petitioners have lodged case *i.e.*, SC/ST Case No.47 of 2025. He further submits that the allegation made in the FIR, is out and out false and the present case has been filed only with a view to save his skin from SC/ST case.

5. Counsel submits that the criminal antecedent of the petitioners is clean and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

6. Learned APP for the State opposes the prayer for bail and submits that it is true that the specific allegation is not there, but he has mentioned before the Court about the injury observed by virtue of case diary by the Sessions Court by which injury on the right side and left side of the head and specially on



occipital region. In addition to that, three more injuries have been found.

7. Upon hearing the parties, it transpires to this Court that both are resident of same village and cause of dispute are petty in nature and the injury alleged has been acknowledged in the rejection order of the Sessions Court.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners, therefore the bail application of the petitioners is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioners, if they surrenders within 4 weeks from today and prays for regular bail, then trial court, upon going through the injury, shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J)

Prakashmani/-

U		T	
---	--	---	--

