

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5017 of 2026

Arising Out of PS. Case No.-89 Year-2025 Thana- MURLIGANJ District- Madhepura

1. Rinki @ Rinku Devi W/o Shiv Kumar Paswan R/o Village - Pakilpar, ward No. 03, P.S - Murliganj, District - Madhepura
2. Niranjan Paswan S/o Late Maheshwar Paswan R/o Village - Pakilpar, ward No. 03, P.S - Murliganj, District - Madhepura
3. Karanjeet @ Karamjeet Paswan S/o Late Shyam Paswan R/o Village - Pakilpar, ward No. 03, P.S - Murliganj, District - Madhepura
4. Shiv Kumar Paswan S/o Late Shyam Paswan R/o Village - Pakilpar, ward No. 03, P.S - Murliganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Prasad, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P

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 Murliganj P.S. Case No. 89 of 2025 lodged on 07.03.2025, for the offence punishable under Section 126(2), 115(2), 117(2), 109, 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. It has been alleged that all the accused persons came at the door of



the informant and started abusing the informant and her husband. It has been alleged that the petitioner no.2 has assaulted the informant with iron rod due to which her hand was broken. All the accused persons also assaulted the informant's husband and it has been specifically alleged that the petitioner no.4 has brutally assaulted the informant's husband by iron rod on his head due to which he suffered injury. It has also been alleged that petitioner no.1 has snatched golden earring from the informant.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that both parties are resident of same village and next door neighbours. Counsel submits that for the same date and place of occurrence, there is a case and counter case i.e. one case has been lodged from the petitioners' side bearing Murliganj P.S. Case No. 90 of 2025 and the present case has been lodged from the informant's side bearing Murliganj P.S. Case No. 89 of 2025. In addition to that, counsel submits that there is a pending land dispute between the parties bearing Title Suit No. 109 of 2019, due to which the present case has been lodged. Counsel further submits that from bare reading of the FIR, there is absolutely no allegation against petitioner nos. 1



and 3. Counsel also submits that the petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the record, it transpires that there is specific allegation against petitioner nos. 2 and 4 of assault by iron rod upon the informant and her husband.

6. As such, in the present facts and circumstances of this case, let the petitioner no.1 namely, Rinki @ Rinku Devi and petitioner no.3 namely, Karanjeet @ Karamjeet Paswan be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of C.J.M., Madhepura, in connection with Murliganj P.S. Case No. 89 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. So far as petitioner no. 2 namely, Nirranjan Paswan and petitioner no. 4 namely, Shiv Kumar Paswan are concerned, this Court is not inclined to grant bail to them. Accordingly, the prayer for anticipatory bail of the petitioner nos. 2 and 4 are hereby rejected. However, if petitioner nos. 2 and 4 surrenders



before the concerned Trial Court within a period of 4 weeks from today, then in that case, the Trial Court is directed to pass order on their surrender-cum-bail application on the same day considering the injury report as well as the title suit pending between the parties, without being prejudice that the anticipatory bail of the petitioner nos. 2 and 4 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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