

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7900 of 2026

Arising Out of PS. Case No.-166 Year-2023 Thana- BHAIKAVSHTHAN District-
Madhubani

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1. Balram Paswan, S/o Yadunandan Paswan, R/o Village - Raiyam West, P.S - Bhairavsthan, District - Madhubani
 2. Lal Paswan @ Lal Mohan Paswan, S/o Yadunandan Paswan, R/o Village - Raiyam West, P.S - Bhairavsthan, District - Madhubani
 3. Ram Kala Devi, W/o Lal Paswan @ Lal Mohan Paswan, R/o Village - Raiyam West, P.S - Bhairavsthan, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 21-05-2026 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Bhairavsthan P.S. Case No. 166 of 2023, registered for the offence(s) under Section(s) 341, 323, 324, 354(B), 380, 427, 307, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that altogether 19 (nineteen) FIR named accused persons, variously armed, entered into her courtyard and started abusing. It has further been alleged that the petitioner no. 1, Balram Paswan ordered to eliminate the entire family of the



informant and he himself assaulted Atal Paswan on his head with *farsa*, while the other accused persons assaulted Shiv Shankar Paswan, Rupa Kumari and Vimla Devi. It has further been alleged that the said accused persons even tried to kidnap the daughter of informant with a view to commit rape upon her and they had also taken away cash amount of Rs. 1,00,000/- from the trunk.

4. The learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and no such incident as alleged had occurred as in the entire case diary, no injury report of said Atal Paswan would be found with respect to whom it is alleged that petitioner no. 1 assaulted him with *farsa*. It has further been submitted that as far as the other injured persons are concerned, the same is not attributed against the petitioners and there is general and omnibus allegations against petitioner nos. 2 and 3 that they had also assaulted Shiv Shankar Paswan. However, from the injury report of said Shiv Shankar Paswan, it would be found that he had received two injuries out of which, one injury was lacerated wound on middle scalp while the other injury was swelling over the left hand. It has next been submitted that even the head injury caused to injured Shiv Shankar Paswan has been attributed to one Manish



Paswan and there was a case and counter case being Bhairavasthan P.S. Case No. 167 of 2023 for the same incident in which petitioners' side had also received injuries. It has lastly been submitted that the petitioners have clean antecedents.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount, each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Bhairavasthan P.S. Case No. 166 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

- (i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.



(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedents of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for cancellation of their bail bonds. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

krishna/deepak/-

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