

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8301 of 2026

Arising Out of PS. Case No.-553 Year-2025 Thana- RAHUI District- Nalanda

1. TUNNI PASWAN @ TONI PASWAN S/o Late Gyan Paswan Resident of Village- Sultanpur, Police Station- Rahui, District- Nalanda
2. Rakesh Kumar S/o Sanju Paswan Resident of Village- Sultanpur, Police Station- Rahui, District- Nalanda
3. Aditya Kumar S/o Bineshar Paswan @ Bindeshwar Paswan Resident of Village- Sultanpur, Police Station- Rahui, District- Nalanda
4. Bineshar Paswan @ Bindeshwar Paswan S/o Late Gyan Paswan Resident of Village- Sultanpur, Police Station- Rahui, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 06-05-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rahui Police Station Case No. 553 of 2025, disclosing offences under Sections 190, 191(2), 126(2), 115(2), 109(1), 117(2), 352 of the BNS, 2023.

3. As per the prosecution story, on 15.09.2025 at about 8:00 PM, while the informant was sitting at her door, the petitioners, along with other accused persons, total 10 in numbers, arrived at the door of the informant in drunken state. It



has further been alleged that all the accused persons started assaulting Mithilesh Kumar, the son of the informant, with iron rod, and when Mantu Bind tried to save him, all the persons also assaulted him with iron rod due to which he sustained injury on the head.

4. Mr. Nilendu Choudhary, learned counsel for the petitioners, argued that the petitioners have not committed any offence in the manner alleged and they have been made accused on account of the fact that prior to lodging of the present FIR, an FIR bearing Rahui P.S. Case No. 552 of 2025 has been lodged by the side of the petitioners against the son of informant and other family members. The FIR lodged by the side of the petitioners is prior in time. After lodging of the FIR by the petitioners' side, i.e. on 16.09.2025, the present FIR has been lodged on 17.09.2025. The injury sustained by Mantu Bind is simple in nature. The injury sustained by Mithilesh Kumar is grievous, but is not on the vital part of the body, and he has sustained fracture injury on his leg. During course of investigation, the statement of the injured Mithilesh Kumar has not been recorded. As per the FIR, altogether 10 persons assaulted the victim Mithilesh Kumar.

5. Considering the fact that there is a case and



counter case between the parties, the allegation against the petitioners is general and omnibus in nature and the FIR lodged by the side of the petitioners is prior in time, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Rahui Police Station Case No. 553 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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