

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11389 of 2026

Arising Out of PS. Case No.-108 Year-2025 Thana- GADHPURA District- Begusarai

1. Asharfi Paswan @ Asarfi Paswan, S/o Late Teko Paswan @ Teko Paswan, R/o Village- Bhanshi (Bhansi), P.S.- Gadhpura (Garhpura), District- Begusarai.
2. Bambam Paswan, S/o Asharfi Paswan @ Asarfi Paswan, R/o Village- Bhanshi (Bhansi), P.S.- Gadhpura (Garhpura), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s :	Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners seek bail in connection with Gadhpura (Garhpura) P.S. Case No. 108 of 2025 dated 27.09.2025 registered for the offence punishable under Sections 126(2), 115(2), 352, 109(1), 191(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that on the alleged date of occurrence at about 06:00 pm, the informant's son Pranjali Singh had gone to purchase *puja* items and while on the way, Pranjali telephonically informed the informant that some persons were stopping him near Bhansi, Durga Asthan and



abusing him. Thereupon, the informant along with Amit Raj reached the place of occurrence and found other co-accused persons alongwith the petitioners forming an unlawful assembly, abusing and assaulting the informant's son. When the informant and Amit Raj intervened to rescue him, the said accused persons assaulted them with *lathi*, *danda* and other weapons. Accused Chandan Paswan struck the Amit Raj on his head with *lathi* causing severe injuries and he fall down. When Dheeraj Mahto came to intervene, accused Bambam Paswan assaulted him with an iron rod causing severe injuries and Dheeraj fell down. Upon raising an alarm by the informant, local people assembled at the P.O., whereupon, the accused persons fled away after damaging three motorcycles. While fleeing, accused Avinash Kumar also snatched away a gold chain from the person of the informant. The incident occurred because the accused were standing on the road in front of the school gate and were harassing girl student.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is no allegation of assault against petitioner no. 1, namely, Asharfi Paswan. There is specific allegation against petitioner no. 2, namely, Bambam Paswan, that he assaulted with iron rod on the head of Dheeraj



Kumar(son of the informant), who sustained injury. It is further submitted that the doctor has opined that the nature of injury as simple. The petitioners are in custody since 08.12.2025, Petitioner No. 1 has two criminal cases against him and Petitioner No. 2 has one criminal case against him but he has already been acquitted in the said case and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.-Ist Class, Begusarai in connection with Gadhpura (Garhpura) P.S. Case No. 108 of 2025.

(Khatim Reza, J)

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