

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11791 of 2026

Arising Out of PS. Case No.-169 Year-2025 Thana- SIKTI District- Araria

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1. Ajay Paswan Son of Late Laxman Paswan Resident Of Village -Dithora, Ward No 14, Panchayat -Majarakh Police Station- Sikty District- Araria
 2. Nishu Kumar Paswan Son of Ajay Paswan Resident Of Village -Dithora, Ward No 14, Panchayat -Majarakh Police Station- Sikty District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

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

2. The petitioners seek bail in anticipation of their arrest in connection with Sikti P.S. Case No. 169 of 2025 instituted for the offences punishable under Sections 76, 77, 115(2), 118(1), 109, 191(2), 190, 351(2), 352, 126(2) and 303(2) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant had alleged that the accused Nishu Kumar Paswan had taken a photograph of his daughter and had uploaded the same on social media along with vulgar song, upon which when the accused was confronted, it is alleged that all the 12 named accused



persons armed with lathi, danda, iron rod etc. attacked the informant and even threatened of dire consequences. It is alleged that the accused persons assaulted Niraj Kumar, Rambilash Paswan and Sonu Kumar and there is specific allegation that the petitioner no. 2, Nishu Kumar Paswan assaulted Rambilash Paswan with sharp weapon.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated and no such incident, as alleged, has occurred. It has further been submitted that all the family members have been named with general and omnibus allegations and there is allegation upon all the accused persons to have assaulted the injured Niraj Kumar Paswan, who had suffered three injuries; one was found to be grievous while the two others were found to be simple in nature. The injuries sustained by Sonu Kumar and Rambilash Paswan were found to be simple in nature. It has further been submitted that the occurrence had taken place at the spur of the moment on account of some dispute and therefore, there was no intention on behalf of the petitioners of any assault and, in fact, it was the informant, who was the aggressor. It has lastly been submitted that the petitioners have criminal antecedents.

5. Learned APP appearing on behalf of the State has



vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-First Class, Araria in connection with Sikti P.S. Case No. 169 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident:

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that they have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on 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.

(Sourendra Pandey, J)

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