

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13897 of 2026

Arising Out of PS. Case No.-176 Year-2024 Thana- SAMASTIPUR District- Samastipur

1. Birendra Kumar @ Bijendra Paswan S/O Sukhlal Paswan R/O Ward No.-15, Bahadurpur Town, P.S- Samastipur, Bihar
2. Rikesh Kumar S/O Late Mukesh Paswan R/O Ward No.-15, Bahadurpur Town, P.S- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Samastipur Town P.S. Case No. 176 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 76 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioners along with other co-accused persons assaulted brother of the informant at the instigation of his sister-in-law, Najhat Praveen. It is further alleged that the accused persons intruded in his house and outraged the modesty of his sister-in-law, Rehana and also threatened her.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits that there is delay of one week in lodging the FIR. There is land dispute between the parties. The nature of injury is said to be simple in nature. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submitted that specific allegation of assault to the injured is against the petitioners.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, in my view, this is not a fit case for anticipatory bail.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners are, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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