

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14897 of 2026

Arising Out of PS. Case No.-889 Year-2025 Thana- DIGHA District- Patna

1. Prabhu Paswan Son of Lakhan Paswan Resident of Patipul, Digha Ghat, P.S. - Digha, Distract - Patna.
2. Dhanu Paswan @ Mahesh Kumar Son of Prabhu Paswan Resident of Patipul, Digha Ghat, P.S. - Digha, Distract - Patna.
3. Ramesh Paswan @ Ramesh Kumar Son of Prabhu Paswan Resident of Patipul, Digha Ghat, P.S. - Digha, Distract - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Raj, Advocate
		Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s	:	Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Digha P.S. Case No. 889 of 2025 registered for the alleged offence under Sections 115(2), 126(2), 303(2), 117(2), 352, 351(2) r/w 3(5) and 110 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, in the backdrop of previous altercation, the petitioners assaulted the informant and petitioner no. 2 hit the informant on his leg causing its fracture. They also snatched a gold chain and Rs. 4,500/- cash from the



informant.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. All the offences mentioned in the FIR are bailable except Section 303(2) and 110 of BNS but they are not applicable in the present case. There is general and omnibus allegation against all the petitioners for assaulting the informant with specific allegation against the petitioner no. 2 that he caused fracture of leg of the informant but the injury report falsifies this allegation as only one injury has been observed on the informant, i.e., pain and swelling over right foot. However, no fracture has been found and injury is stated to be simple. Learned counsel further submits that the allegation of snatching gold chain and money is not believable as the informant is the cousin of the petitioner nos. 2 and 3 and the nephew of petitioner no. 1. Petitioner no. 1 and 3 are having antecedent of one case each whereas petitioner no. has got two criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made by the parties and considering the absence of injury alleged against the informant and also considering



the relationship of the parties and nature of dispute, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna/court concerned in connection with Digha P.S. Case No. 889 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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