

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14937 of 2025

Arising Out of PS. Case No.-416 Year-2024 Thana- BAIRIYA District- West Champaran

1. Niraj Kumar @ Niraj Paswan Son of Uma Shankar Paswan Resident of Village- Laukariya Mushar Toli, Ward 3 P.S.Bairiya, Distt.- West Champaran
2. Nitish Kumar Son of Uma Shankar Paswan Resident of Village- Laukariya Mushar Toli, Ward 3 P.S.Bairiya, Distt.- West Champaran
3. Bittu Kumar Son of Uma Shankar Paswan Resident of Village- Laukariya Mushar Toli, Ward 3 P.S.Bairiya, Distt.- West Champaran
4. Uma Shankar Paswan @ Uma Shankar Hajra Son of Ramjee Paswan @ Ramjee Hajra Resident of Village- Laukariya Mushar Toli, Ward 3 P.S.Bairiya, Distt.- West Champaran
5. Kiran Devi @ Shashi Kiran Devi Wife of Uma Shankar Paswan @ Uma Shankar Hajra Resident of Village- Laukariya Mushar Toli, Ward 3 P.S.Bairiya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhannjay Kumar Ii, Adv.
For the Opposite Party/s	:	Mr. Surendra Kumar, Adv.
		Mr. Avinash Raj, Adv.
For the State	:	Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 19-01-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Bairiya P.S. Case No. 416 of 2024 registered for the offences punishable under Sections 191(2), 329(3), 352, 115(2), 118(2), 103(1) of BNS.

3. As per FIR, one of the co-accused namely, Khelawan Paswan assaulted with *garasa*



on the head of the father of the informant, due to which he died during the course of treatment alongwith other named co-accused person including these petitioners.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners were implicated only for the reason that they are family members of Khelawan Paswan. It is pointed out that even upon *post-mortem* only single assault was found upon the head of father of informant which proved fatal which appears *prima-facie* corroborating with FIR on its fact as the FIR is also not speaking any overt act qua petitioners or any other co-accused person except co-accused Khelawan Paswan. While concluding arguments, it is submitted that petitioners claimed clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that petitioners were actively involved during the occurrence but fairly conceded that FIR nowhere suggesting that any



over act qua occurrence attributed to petitioners.

6. In view of aforesaid factual submission and by taking note of fact as FIR nowhere suggests any over act attributed to petitioners towards commission of offences where specific allegation appears raised against one Khelawan Paswan, accordingly petitioner no. 2 to 5, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, West Champaran, Bettiah/concerned Court, where the case is pending in connection with Bairiya P.S. Case No. 416 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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