

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19404 of 2026

Arising Out of PS. Case No.-870 Year-2025 Thana- AMARPUR District- Banka

1. Monu Paswan S/o Buttan Paswan @ Bateswar Paswan R/o Village - Vishwambhar Chak, P.S - Amrpur, District - Banka
2. Banti Paswan S/o Buttan Paswan @ Bateswar Paswan R/o Village - Vishwambhar Chak, P.S - Amrpur, District - Banka
3. Kundan Paswan @ Bhatal Paswan S/o Buttan Paswan @ Bateswar Paswan R/o Village - Vishwambhar Chak, P.S - Amrpur, District - Banka
4. Brajesh Paswan @ Brajesh Kumar S/o Bhairo Paswan R/o Village - Vishwambhar Chak, P.S - Amrpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Pankaj Kumar, learned counsel for the petitioners and Mr. Bharat Bhushan, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 05.12.2025 in connection with Amarpur P.S. Case No. 870 of 2025, F.I.R. dated 04.12.2025 for the offences punishable under Sections 126(2), 115(2), 109(1), 118(1), 74, 303(2), 352, 352(2) and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including these petitioners armed with deadly weapons brutally assaulted the informant and his family members due to which they received several injuries.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to some petty dispute the present case has taken place. There is case and counter case between the parties. Although the petitioners are named in the FIR but there is no specific allegation of assault or overt act attributed against these petitioners rather there is general and omnibus allegation against them and the specific allegation of assault is against the co-accused, namely, Pandav Paswan who has assaulted to the father of the informant by means of *Gadasa*. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 05.12.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties and there is no specific allegation against these petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Banka in connection with Amarapur P.S. Case No. 870 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

