

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21099 of 2026

Arising Out of PS. Case No.-433 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

1. Shanti Devi W/o Late Jagdish Paswan Resident of village - Panapur Langa, P.S - Hajipur Sadar, District - Vaishali, State - Bihar
2. Ravindra Paswan S/o Late Dasarath Paswan Resident of village - Panapur Langa, P.S - Hajipur Sadar, District - Vaishali, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Adv.
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 13-07-2026 Heard Mr. Hemant Ray, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hajipur Sadar P.S. Case No. 433 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 103(1) & 3(5) of the BNS.

3. Based upon the prosecution report, it is alleged that while the informant had gone to meet his wife and children at his in-laws house, in the meanwhile, he came to know that his son Rakesh Paswan @ Bhima was brutally assaulted by his in-laws, including the petitioners, and when his condition started getting deteriorated, he was taken to hospital, where he succumbed to the injuries. It is further alleged that co-accused Shekhar Pandit and Sanjay Singh took the dead body of the



informant's son and left it near the house of Surendra Paswan and fled away.

4. Learned Advocate for the petitioners submitted that petitioner no. 1 is a widow lady, aged about seventy years, suffering from various ailments, happens to be mother-in-law, whereas, the petitioner no. 2 is said to be cousin father-in-law of the deceased. The informant is not an eye witness to the alleged occurrence and the entire prosecution case is based on suspicion and hearsay statement of some of the villagers. However, the prosecution case against the petitioners falls to the ground for the simple reason, that when the statement of the wife of the deceased was recorded by the police, she has categorically stated that it is co-accused Dina Paswan and Vivek Paswan, who have assaulted her husband by means of fist and slap. The petitioners are persons of fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the motive behind the occurrence is writ large, as the accused persons along with petitioners carrying animosity because of the reason that the deceased husband was indulged in assaulting his



wife, which led to this occurrence.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the nature of accusation against the petitioners, coupled with the statement of the wife of the deceased, who have categorically stated with respect to other co-accused persons of causing assault, beside their fair antecedent, let the petitioners above named 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, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali in connection with Hajipur Sadar P.S. Case No. 433 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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