

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25320 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- Kharagpur District- Munger

1. Rupesh Kumar Son of Haldhar Paswan Resident of Village- Kendua, P.S.- Kharagpur, District- Munger
2. Raja Kumar Son of Kirani Paswan Resident of Village- Kendua, P.S.- Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Kharagpur P.S. Case No. 228 of 2025 dated 26.10.2025 registered for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 324(4), 303(2), 118(1), 74, 351(2), 352, 329(4) and 125 of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, on 25.10.2025 at about 7:00 PM, the accused persons initially threw crackers at the Informant's house and, upon protest, assaulted him and his family members with lathi, danda, stones, and iron rods, causing



injuries and damaging property, including two e-rickshaws, while also misbehaving with family members and taking away certain articles; the injured were later taken to the hospital, and the incident was recorded in video and photographs.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. There is a case and counter case between the parties and altogether sixteen persons have been made accused in this case. It is next submitted that the allegation of assault against the petitioners is general and omnibus in nature, while the persons, against whom there is specific allegation of overt act, have already been extended privilege of anticipatory bail vide order dated 25.03.2026 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 15754 of 2026. It is lastly submitted that the petitioners are persons of clean antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the parties and considering the fact that there is a case and counter-case between the parties in which both sides have sustained injuries, and further that the allegations made against the petitioners are general and omnibus in nature, whereas the persons against



whom specific allegations of overt acts have been made have already been granted the privilege of anticipatory bail by this Court, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on 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 Additional Chief Judicial Magistrate-I, Munger in connection with Kharagpur P.S. Case No. 228 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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