

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25223 of 2026

Arising Out of PS. Case No.-395 Year-2022 Thana- RAJAON District- Banka

1. Ranjeet Paswan Son of Lakshman Paswan. Resident of village- Karsani, P.O.- Kathoun, P.S.-Rajoun, Kathwan, District- Banka (Bihar) 813107
2. Ghuttar Paswan @ Ghutar Paswan son of Ram Bihari Paswan Resident of village- Karsani, P.O.- Kathoun, P.S.-Rajoun, Kathwan, District- Banka (Bihar) 813107
3. Mithilesh Paswan @ Mithlesh Paswan Son of Ram Bihari Paswan Resident of village- Karsani, P.O.- Kathoun, P.S.-Rajoun, Kathwan, District- Banka (Bihar) 813107

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-04-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajoun P.S. Case No.395 of 2022, F.I.R dated 16.08.2025 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, on 15.08.2022 at Rajoun Police Station. He stated that while he, his wife (former Ward Secretary), and others were cleaning near a water tank and preparing to hoist the national flag, a group of named accused



persons, led by Kameshwar Paswan (petitioner), arrived armed with sticks and other weapons. They abused the informant, opposed the flag hoisting, and locked the water tank gate. On the petitioner's instruction, the group allegedly attempted to remove the items and tear the national flag. When the informant resisted, he was assaulted and sustained a head injury. His wife was also beaten, her blouse was torn, and she was misbehaved with; her gold chain was allegedly snatched. The accused also used caste-based abusive language and forcibly took away the flag. When others intervened, they too were assaulted before the accused persons left the scene.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It has further been submitted that for same incident, there is case and counter case and the informant and his family members, who have been made accused, have already been extended the privilege of anticipatory bail passed by Co-ordinate Bench of this Court vide orders dated 22.04.2026 and 24.04.2026 passed in Cr. Misc. Nos.26631 of 2026 and 25900 of 2026 respectively. It is the case of the petitioner that injuries sustained by the informant are simple in nature and the petitioners have no criminal antecedent.



5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is case and counter case and other similarly situated co-accused persons have already been extended the privilege of anticipatory bail passed by Co-ordinate Bench of this Court vide orders dated 22.04.2026 and 24.04.2026 passed in Cr. Misc. Nos.26631 of 2026 and 25900 of 2026 respectively and the petitioners have no criminal antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, in connection with Rajoun P.S. Case No.395 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 his/her/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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