IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29067 of 2026

CNR No. BRHC010363782026

Arising Out of PS. Case No.-69 Year-2026 Thana- SAMASTIPUR MUFFASIL District- Samastipur

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1. Ajit Kumar Paswan @Ajit Paswan S/o Late Rajpati Paswan R/V- Hasanpur Jitwarpur, P.S.-Samastipur (Muffasil), District- Samastipur
2. Indrajit Kumar @ Jite S/O- Ajit Paswan @ Ajit Kumar Paswan R/V- Hasanpur Jitwarpur, P.S.-Samastipur (Muffasil), District- Samastipur
3. Kishan Kumar S/O-Viro Paswan R/V- Hasanpur Jitwarpur, P.S.-Samastipur (Muffasil), District- Samastipur
4. Sapana Devi W/O- Viro Paswan R/V- Hasanpur Jitwarpur, P.S.-Samastipur (Muffasil), District- Samastipur
5. Asha Kumari W/O- Suraj Paswan, D/O- Ajit Paswan @ Ajit Kumar Paswan R/V- Hasanpur Jitwarpur, P.S.-Samastipur (Muffasil), District- Samastipur, At Present Laguniya, P.S.- Muffasil, District- Samastipur

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

5 20-11-2026 At the outset, learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application insofar as petitioner no. 1, namely, Ajit Kumar Paswan @ Ajit Paswan is concerned.

2. Permission is accorded.

3. Accordingly, the anticipatory bail application of petitioner no. 1, namely, Ajit Kumar Paswan @ Ajit Paswan stands dismissed as withdrawn.

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4. Heard learned counsel for the petitioners and learned APP for the State.

5. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Samastipur (Muffasil) P.S. Case no. 69 of 2026 instituted for the offence under Sections 103 (1), 126 (2), 127 (2), 115 (2), 351 (3) and 3 (5) of the BNS.

6. The case of the prosecution is that the petitioner along with others has assaulted to one Satish Kumar @ Jassi with slaps and fists. After that, they have strangulated him by putting rope around his neck due to which he died.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that from perusal of the FIR, it is clear that the nature of the allegation is general and omnibus. There is no allegation of specific overt act against the petitioners. It has further been submitted that the deceased was having relationship with one Lovely Kumari, who denied to marry the deceased, due to which he committed suicide. From perusal of the postmortem report, it transpires that the doctor conducting the autopsy of the deceased has opined that the cause of death is asphyxia due to homicidal strangulation, but from perusal of the postmortem report, it also transpires that the doctor has only found a ligature

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mark on the person of the deceased as an ante-mortem injury.

8. Learned counsel for the petitioner has submitted that had it been a forceful hanging by numerous persons, there must have been resistance and other injuries on the body of the deceased must have been there. It is further submitted that the opinion of the doctor is not based on objective findings. He further submits that similarly situated co-accused namely, Savita Devi has been granted bail by this Court vide Cr. Misc. No. 26897 of 2026 and viro Paswan has been granted bail by this Court vide order dated 03.07.2026 passed in Cr. Misc. No. 25568 of 2026.

9. The learned APP appearing for the State has vehemently opposed the prayer of regular bail of the petitioners.

10. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners **(Except petitioner no. 1, namely, Ajit Kumar Paswan @ Ajit Paswan)** are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Samastipur (Muffasil) P.S. Case no. 69 of 2026, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-2nd, Samastipur, subject to the

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conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

Jagdish/-

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