

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30191 of 2026

Arising Out of PS. Case No.-10 Year-2018 Thana- SURYAGARHA District- Lakhisarai

1. Rajiv Paswan @ Rajiv Kumar S/O Sahdeo Paswan R/O Village- Kurha, P.S- Shamho, Dist.- Begusarai.
2. Uma Paswan @ Umesh Paswan S/O Ramdeo Paswan R/O Village- Kurha, P.S- Shamho, Dist.- Begusarai.
3. Binod Paswan S/O Umesh Paswan @ Uma Paswan R/O Village- Kurha, P.S- Shamho, Dist.- Begusarai.
4. Sandeep Kumar @ Sandeep Paswan S/O Bhuna Paswan @ Bhuneshwar Paswan R/O Village- Kurha, P.S- Shamho, Dist.- Begusarai.
5. Tetar Paswan S/O Anandi Paswan R/O Village- Kurha, P.S- Shamho, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Suryagarha P.S. Case No. 10 of 2018, dated 25.01.2018, lodged under Sections 147, 149, 332, 353 and 186 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against eight named and 10-12 unknown accused persons including the present petitioners. The allegation made in the FIR is that on the date of occurrence, the petitioners and some other accused persons had placed the dead body of a person, who was murdered in the locality of Shamho P.S. under Begusarai



district, on NH-80 and blocked the road. Despite repeated requests, they did not remove the dead body from the road and blocked NH-80 for five hours, and in this background the present case has been lodged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that their criminal antecedents of the petitioners are clean and due to the murder of an old person, the local villagers became agitated and were demanding protest from the administration. Counsel further submits that initially the petitioners were granted the benefit of Section 41(1) of the Cr.P.C., but subsequently, without any service of summons or other process, proceedings under Sections 82 and 83 Cr.P.C. have been initiated against them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that it is indicated from the rejection order that non-bailable process under Sections 82 and 83 Cr.P.C. has been issued.

6. From the rejection order, it does not transpire to this Court whether those processes have been served upon the petitioners or not.

7. Considering the facts and circumstances of the



present case, let the above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of the Judicial Magistrate-1st class, Lakhisarai, in connection with Suryagarha P.S. Case No. 10 of 2018, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner 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 bail bonds by the Trial Court itself.

(Dr. Anshuman, J.)

Aman Kumar/-

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

