

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28968 of 2026**

Arising Out of PS. Case No.-448 Year-2025 Thana- DESARI District- Vaishali

1. Mukesh Paswan @ Mukesh Kumar S/o Manoj Paswan R/o Village- Salha, P.S- Sahdei Bujurg, Dist- Vaishali
2. Pramod Paswan @ Pramod Kumar S/o Kalash Munsu @ Kailash Paswan R/o Village- Salha, P.S- Sahdei Bujurg, Dist- Vaishali
3. Manoj Paswan S/o Kalash Munsu @ Kailash Paswan R/o Village- Salha, P.S- Sahdei Bujurg, Dist- Vaishali
4. Sonu Kumar @ Adityanand Kumar S/o Pramod Paswan R/o Village- Salha, P.S- Sahdei Bujurg, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr. Krishna Prabhat, Adv.      |
| For the Informant    | : | Mr. Pawan Kumar Chaurasia, APP |
| For the Informant    | : | Mr. Hemant Ray, Adv.           |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

4      17-07-2026                      Heard learned Advocate for the petitioners, learned APP for the State as well as learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Desari P.S. Case No.448 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 352, 109(1), 118(1) and 3(5) of the BNS.

3. The allegation against the petitioners is of causing assault to the informant and his family members by means of sword, due to which all of them sustained serious injuries.

4. Learned Advocate for the petitioners, taking this Court through the contents of the First Information Report,



submitted that the allegation levelled against all the four petitioners are omnibus in nature and no specific overt act has been attributed to any individual petitioner. It is further submitted that the allegation of assault by means of sword does not find *prima facie* corroboration with the injury reports. Out of the three injured persons, two have sustained only simple injuries, whereas Vijay Kumar Paswan has sustained a grievous injury, which, according to the injury report, has been caused by a hard and blunt substance. It is further contended that the parties are agnates and, on account of some previous dispute, a free fight took place, resulting into some unfortunate injuries. It is also contended that although the alleged occurrence took place in the evening of 16.12.2025, the present First Information Report came to be instituted on 18.12.2025, without any plausible explanation for the delay. It is lastly contended that the petitioners bear fair antecedent and undertake that they will fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocates for the State and the informant vehemently opposed the prayer for anticipatory bail and submitted that there are specific allegations against all the petitioners of having assaulted the informant and his family members, as a result of which three persons sustained serious injuries on vital parts of their bodies.



6. Having considered the submissions advanced on behalf of the respective parties and upon perusal of the materials available on record, particularly the omnibus nature of the allegations, the apparent inconsistency between the allegation of assault by sword and the medical evidence, the fact that two of the injured have sustained only simple injuries while the grievous injury is stated to have been caused by a hard and blunt substance, the delay in lodging the First Information Report and the fair antecedent of the petitioners, 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Vaishali at Hajipur in connection with Desari P.S. Case No.448 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

**(Harish Kumar, J)**

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