

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36952 of 2026

Arising Out of PS. Case No.-1352 Year-2024 Thana- MAHUA District- Vaishali

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1. Lakhindra Paswan S/o- Bhola Paswan Resident of Village- Madhaul, P.S.- Mahua, District- Vaishali.
 2. Shanti Devi Wife of Lakhindra Paswan Resident of Village- Madhaul, P.S.- Mahua, District- Vaishali.
 3. Nitesh Kumar @ Nitesh Paswan Son of Lakhindra Paswan Resident of Village- Madhaul, P.S.- Mahua, District- Vaishali.
 4. Neha Kumari @ Neha Devi D/o- Lakhindra Paswan Resident of Village- Madhaul, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. Ii, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 352, 351, 115(2), 90, 74, 76 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioner nos. 1 and 2 have antecedent of one case and petitioner nos. 3 and 4 are persons with clean antecedent and petitioner nos. 2 and 4 are women. It is next submitted that the informant alleges that on 23.11.2024, she was working in her father's field, when accused persons including the petitioners came and started abusing, on objection, Lakhindra dashed her



on the ground and with an intent to abort the child assaulted on her stomach, further Shanti and Neha also assaulted, thereafter Nitesh assaulted on account of which she started bleeding from her private parts and during the course of treatment, her pregnancy was terminated.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is also submitted that petitioners and the informant are *gotiyas* and are having dispute relating to land. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that as far as allegation alleged against petitioner nos. 2 and 4 is concerned, the same is general and omnibus in nature. It is next submitted that since an altercation took place in between the parties with respect to dispute relating to land, as such, the informant fell on account of which her pregnancy got terminated.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application of the petitioners and submits that there is a specific allegation against petitioner nos. 1 and 3 of assaulting the informant on stomach and on her private parts. It is further submitted that it is specifically alleged that on account of assault on her private parts, she started bleeding. It is



next submitted that as far as petitioner no. 1 is concerned, he is alleged to have assaulted the informant on stomach knowing that she was pregnant, it is thus submitted that on account of assault made by petitioner nos. 1 and 3, the pregnancy of the informant got aborted, but then fairly submits that as far as petitioner nos. 2 and 4 are concerned, the allegation against them is not specific.

6. After hearing the learned counsel for the parties, the **petitioner nos. 2 and 4** above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No. 1352 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner nos. 1 and 3.

(Satyavrat Verma, J)

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