

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40236 of 2026

Arising Out of PS. Case No.-233 Year-2025 Thana- DINARA District- Rohtas

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1. Nitish Paswan @ Nitish Kumar S/o Gorakh Paswan R/o - Dahigna, P.S - Dinara, District - Rohtas.
 2. Govind Paswan @ Vikash Paswan @ Vikash Kumar S/O Gorakh Paswan R/o - Dahigna, P.S - Dinara, District – Rohtas. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 23-06-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Dinara P.S. Case No. 233/2025 registered for the offences punishable under Sections 115(2), 126(2), 109, 351(2), 352, 3(5) of the BNS.

3. As per FIR, petitioners along with other co-accused persons alleged to assault informant and others, where alleged occurrence arises out of partition issue in ancestral property.

4. It is submitted by learned counsel appearing on behalf of the petitioners that present occurrence appears free fight in nature, where both parties received injuries, therefore, it cannot be said that petitioners were under intention to cause death of the injured informant and other injured persons. It is also submitted that for the same set of occurrence petitioner's side earlier lodged a case which has been registered as Dinara P.S. Case No. 232/2025 and just to counter the allegation as raised by these petitioners present false case was lodged



regarding same occurrence. It is submitted that allegation of causing head injury appears very much general and omnibus in nature, where two injuries were found upon head. It is submitted that intentionally CT-Scan was not submitted by the informant due to which till date opinion regarding nature of injury was not given and, therefore, injury may be deemed to be simple in nature.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as occurrence prima-facie appears free fight in nature, where both parties received injuries, accordingly all above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Bikramganj/concerned Court, where the case is pending in connection with Dinara P.S. Case No. 233/2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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