

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42971 of 2026

Arising Out of PS. Case No.-798 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Chandan Paswan @ Takal Son of Rajendra Paswan @ Lalan Paswan Resident
of Village- Ramgarhwa, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 103(1),
61(2), 3(5) of the BNS.

3. As per the case of the prosecution, the background
to the occurrence is a land dispute *inter se* the parties. On
28.11.2025, the accused including the petitioner herein, were
having the disputed land measured. The informant's son,
Manish Kumar, was not satisfied with the measurement carried
out on that date and accordingly, 13.12.2025 was fixed for a
fresh measurement. However, on 11.12.2025, two days prior to
the scheduled re-measurement, the accused persons, including



co-accused Bhagmati Devi (petitioner in connected Cr. Misc. No. 17916 of 2026) and co-accused Birendra Paswan, came to the door of the informant's son. Thereafter, the above-named persons, along with some unidentified individuals, are alleged to have assaulted Manish Kumar. On being informed, family members rushed to the spot, whereupon the accused fled; only two females among the accused could not escape and were apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. It has further been stated that the name of the petitioner has surfaced merely on the basis of suspicion, without any cogent or reliable material connecting him with the alleged offence. It has also been submitted that the alleged confession made by the petitioner before the police, has no evidentiary value in the eye of law and inadmissible in evidence. Learned counsel has further submitted that similarly situated co-accused persons have already been granted bail by learned co-ordinate Bench of this Court vide Cr. Misc. Nos. 19418 of 2026 and 17916 of 2026. Moreover, he is languishing in judicial custody since 09.01.2026 having no criminal



antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motihari Muffasil P.S. Case No. 798 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

Sneha/-
Anjali/-

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