

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46846 of 2026

Arising Out of PS. Case No.-139 Year-2026 Thana- BAKHTIYARPUR District- Patna

1. Pappu Paswan, aged about 30 years (Male),
2. Sanjay Paswan, aged about 45 years (Male),
Both son of Kameshwar Paswan @ Thagan Paswan,
3. Rahul Kumar, aged about 20 years (Male), son of Pintu Kumar @ Pintu Paswan,
All are resident of village - Mahmadpur, Mahammadpur, Police Station - Bakhtiyarpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Arun, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bakhtiyarpur P.S. Case No. 139 of 2026, registered for the offence punishable under Sections 191(2), 191(3), 126(2), 115(2), 109, 352 of the BNS and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, petitioners along with other accused persons, with an intention to kill, had allegedly assaulted the informant causing head injury. Specific allegation is against petitioner no. 1 that he had assaulted the informant on his head by means of iron rod.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. There is case and counter case between the parties. Specific allegation against petitioner no.1 is that he had assaulted the informant by means of iron rod on his head, however, the injury has been opined by the doctor to be simple in nature. General and omnibus allegation has been levelled against petitioners no. 2 and 3. Both the parties were indulged into fierce-fight and the petitioners, in their self defence, may have caused injury to the person of the informant, without intention. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find it proper to direct the learned District Court to call upon the case diary and verify the injury attributable to the petitioner no. 1. In case, the injury is found to be grievous in nature, the petitioner no. 1 is directed to be taken into custody forthwith.



7. So far as petitioners no. 2 and 3 are concerned, considering that general and omnibus allegation has been levelled against them, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on 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 District Court where the case is pending, in connection with Bakhtiyarpur P.S. Case No. 139 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

9. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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