

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46456 of 2026

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

1. Kundan Kumar, S/O Kameshwar Paswan @ Thagan Paswan
 2. Manjay Paswan, S/O Kameshwar Paswan @ Thagan Paswan
 3. Indrajit Kumar @ Ranjit Kumar @ Inderjit Kumar @ Anarjit Kumar, S/O Vimal Paswan
 4. Deepak Paswan @ Dipak Kumar, S/O Vimal Paswan
 5. Pankaj Paswan, Son of Kapil Paswan
 6. Kangaj Paswan @ Pankaj Paswan, Son of Kapil Paswan
 7. Chandan Kumar, Son of Kedar Paswan
- All are Resident of village - Mahmadpur, Mahammadpur, Police Station - Bakhtiyarpur, District - Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with

Bakhtiyarpur P.S. Case No.139 of 2026 registered under

Sections 191(2), 191(3), 126(2), 115(2), 109 and 352 of the

Bharatiya Nyaya Sanhita, 2023 (in short 'BNS') and Section 27

of the Arms Act.



3. Allegation against petitioners is to assault the informant and others during the occurrence by using iron rod etc., causing head and bodily injuries having intention to cause their death, where occurrence is alleged to be arising out of local disputes and differences. The allegation of firing is also available against co-accused person, namely, Sanjay Paswan.

4. It is submitted by learned counsel appearing for the petitioners that the allegation of causing head injuries by using iron rod is available against co-accused, namely, Pappu Kumar, who is not the petitioner for the present, though upon medical examination nature of injury found simple. It is further submitted that similarly the allegation of firing is available against co-accused, namely, Sanjay Paswan, who is also not the petitioner for the present. It is further submitted that the allegation of assault is appearing very much general and omnibus against all above-named petitioners.

5. It is further argued that occurrence was free fight in nature, where both parties received injuries and for same set of occurrence, petitioners' side also lodged a case,



which has been registered as Bakhtiyarpur P.S. Case No.141 of 2026. All petitioners claimed clean antecedent.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact, as occurrence was *prima facie* free fight in nature, where allegation of physical assault is appearing very much general and omnibus against petitioners, accordingly, all above-named seven petitioners, who are of clean antecedent, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, 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 Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No.139 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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