IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74355 of 2026

CNR No. BRHC011096142026

Arising Out of PS. Case No.-289 Year-2026 Thana- SAKRA District- Muzaffarpur

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1. Rajesh Pasvan son of Bhagwan Paswan Resident of village- Mahmadpur Badal, Ps -Sakra, Dist- Muzaffarpur
2. Bhagwan Paswan Son of Late Rameshwar Paswan Resident of village- Mahmadpur Badal, Ps -Sakra, Dist- Muzaffarpur
3. Sangita Devi wife of Sekrai Paswan Resident of village- Mahmadpur Badal, Ps -Sakra, Dist- Muzaffarpur
4. Rakesh Pasvan Son of Dinesh Pasvan Resident of village- Mahmadpur Badal, Ps -Sakra, Dist- Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Sunil Kumar Pandey, learned counsel appearing on behalf of the petitioners and Mr. Rabindra Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Sakra P.S. Case No. 289 of 2026, registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 117(2), 118(1), 118(2), 303(2), 74 and 329(4) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the allegation made in the F.I.R., the informant alleged that his son, Rajan Kumar, was surrounded by

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the accused persons, pursuant to which co-accused Ranjeet Paswan and Prince Kumar allegedly assaulted him with a knife, resulting in his death. It is further alleged that the informant's daughter, Pinky Devi, was assaulted when she intervened, and that another injured person, Aditya Kumar, was assaulted with a sword. The F.I.R. also alleges that some of the accused persons entered the informant's house, broke the lock and took away gold jewellery and cash.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case due to a land dispute between the parties. He further submitted that a counter-case, being Sakra P.S. Case No. 291 of 2026, has also been instituted in connection with the same dispute. The injury reports of the injured persons describe the injuries as simple in nature and do not support the allegation of assault by a knife or sword. The petitioners have no criminal antecedents. On these grounds, the 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 and having perused the allegations made in the

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F.I.R. and the materials placed on record, I am of the opinion that, in the absence of any specific allegation against petitioner nos. 2, 3 and 4, they have, *prima facie*, made out a case for grant of pre-arrest bail. Accordingly, petitioner nos. 2, 3 and 4 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) each, with two sureties of the like amount each, to the satisfaction of the learned A.C.J.M.-15th (East), Muzaffarpur, or the successor court, in connection with Sakra P.S. Case No. 289 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. So far as petitioner no. 1 is concerned, having regard to the specific allegation of assault resulting in injury to the daughter of the informant, I am not inclined to grant him the privilege of pre-arrest bail. Accordingly, the prayer for pre-arrest bail on behalf of petitioner no. 1 is rejected.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail

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application, this order will automatically lose its force.

9. The bail application stands disposed of accordingly.

(Purnendu Singh, J)

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