IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78053 of 2026

CNR No. BRHC011121162026

Arising Out of PS. Case No.-271 Year-2026 Thana- MADHUBAN District- East Champaran

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Hari Kishor Paswan S/o Dasharath Paswan Resident of Village - Dulma, Ward no. 3, P.S. - Madhuban, Dist. - 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.Murli Dhar, APP
For the Informant : Mr. Sanjeev Kumar, Advocate
: Mr. Ritesh Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 04-11-2026 Heard Mr.Abhishek Kumar, learned counsel for the petitioner, Mr. Sanjeev Kumar, learned counsel for the informant and Mr.Murli Dhar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 26.07.2026 in connection with Madhuban P.S. Case No. 271 of 2026, F.I.R. dated 25.07.2026 registered for the offence punishable under Sections 115(2),118(1),352,109,303(2),3(5) of BNS.

3. Allegation against the petitioner is that he assaulted to the informant with iron rod on her head due to which blood started oozing out from her head and she fell on the ground.

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4. Learned counsel for the petitioner submits that it appears from the FIR itself that due to some property dispute the present occurrence has taken place. Although there is specific allegation against the petitioner that he has assaulted to the informant by means of iron rod. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 23.07.2026 but the present FIR has been instituted on 25.07.2026 after delay of two days without giving any explanation of delay apart from that, the injury report of the informant (injured person) suggests that the injury is simple in nature caused by hard and blunt substance and police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 26.07.2026.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he has assaulted to the informant, apart from that, the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

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6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-6th, East Champaran, Motihari in connection with Madhuban P.S. Case No. 271 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned

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order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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