

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82159 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- SIMRI District- Darbhanga

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1. Rahul Kumar Paswan Son of Deepu Paswan R/o Village - Rasalpur(Araila), P.S. - Simri, Dist. - Darbhanga.
 2. Rohit Kumar Paswan @ Sohit Kumar Son of Deepu Paswan R/o Village - Rasalpur(Araila), P.S. - Simri, Dist. - Darbhanga.
 3. Deepu Paswan @ Deeplal Paswan Son of Rameshwar Paswan @ Late Rameshwar Paswan R/o Village - Rasalpur(Araila), P.S. - Simri, Dist. - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 15-01-2026 At the outset, learned counsel for the petitioner submits that he shall not press the application on behalf of the petitioner no.1, namely, Rahul Kumar Paswan.

2. The application on behalf of the petitioner no.1, namely, Rahul Kumar Paswan, stands dismissed as not pressed.

3. The present petition now only survives for petitioner Nos.2 and 3, namely, Rohti Kumar Paswan @ Sohit



Kumar Paswan and Deepu Paswan @ Deeplal Paswan.

4. Heard learned counsel for the petitioners and learned A.P.P. for the State.

5. Petitioners apprehend their arrest in connection with Simri P.S. Case No.210 of 2025 registered for the offences under Sections 126(2), 115(2), 109(1), 303(2), 76, 315(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. As per the prosecution case, the informant has alleged that on account of some personal dispute between the petitioners and the informant, who are admittedly agnates, the accused persons started abusing and it is also alleged that the petitioners Rohit Kumar and Rahul Kumar tried to kill the informant by pressing his neck with a towel. It is next alleged that petitioner no.3 Deepu Paswan, forcibly took the thumb impression from the informant and the other two petitioners, namely, Rahul Kumar Paswan and Rohit Kumar Paswan took Rs. 5,000/- from the pocket of the informant. It is lastly alleged by the informant that the petitioner Rahul Paswan picked up brick and hit on the back side of the head of the wife of the informant.

7. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case merely



because there is a land dispute between them and they are own agnates of the informant. It has further been submitted that the occurrence is said to have taken place on 23.06.2025 while the FIR was registered on 17.07.2025 i.e. almost after twenty days of the alleged occurrence. It has been submitted that the petitioners have falsely been implicated and no such incident as alleged had occurred. It has also been submitted that the petitioners carry clean antecedent.

8. Learned APP for the State has vehemently opposed the prayer for anticipatory bail and has stated that there is specific allegation upon the petitioners to have assaulted the informant as well as the wife of the informant. It has also been submitted that the delay is on account of the treatment of the wife of the informant and, therefore, no benefit can be drawn by the petitioners from the same.

9. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties and the fact there are no specific allegations against the petitioner nos.2 and 3, let the petitioner nos.2 and 3, namely, Rohti Kumar Paswan @ Sohit Kumar Paswan and Deepu Paswan @ Deeplal Paswan be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four



weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Simri P.S. Case No.210 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners has concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. Accordingly, the prayer for anticipatory bail is



allowed.

11. It is made clear that the observation, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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