

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82775 of 2025

Arising Out of PS. Case No.-413 Year-2024 Thana- BELAGANJ District- Gaya

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1. Kiran Devi W/O Dina Paswan Resident of Village- Alambigha, Rauna, P.S.-Belaganj,Dist.-Gaya, Bihar, Pin-804404.
 2. Shivnath Kumar @ Rishav Kumar S/O Birendra Paswan Resident of Village- Alambigha, Rauna, P.S.-Belaganj,Dist.-Gaya, Bihar, Pin-804404.
 3. Dina Paswan S/O Kapil Paswan Resident of Village- Alambigha, Rauna, P.S.-Belaganj,Dist.-Gaya, Bihar, Pin-804404.
 4. Ujjawal Kumar @ Ujjwal Kumar S/O Dina Paswan Resident of Village- Alambigha, Rauna, P.S.-Belaganj,Dist.-Gaya, Bihar, Pin-804404.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anmol Kumar , Advocate
For the Opposite Party/s : Mr. Pranav Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-01-2026 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 110, 324(4) and Section 3(5) of B.N.S.

3. At the outset, learned A.P.P. for the State submits that from bare perusal of impugned order it is apparent that the police has given benefit of section 35 of BNS to the petitioners and there is no apprehension of their arrest.

4. From bare perusal of the impugned order it is clear



that petitioners are already on police bail under section 35 of BNS. This Court, in case of **Mahendra Prasad Singh Vs. State of Bihar**, reported in **2004 (3) P.L.J.R. 491** has held that once accused persons are granted privilege of police bail, they must honour the terms of police bail. Upon surrendering, petitioner is entitled to apply for bail, and the court is instructed to consider this application in alignment with the principle established in the cited case.

5. In view of the observation of this Court made in the aforesaid case, petitioners are directed to surrender before the Court below within a period of eight weeks from today. In case, petitioners surrender and file an application for bail, the concerned Court will pass order in the similar manner as has been decided in the case of **Mahendra Prasad Singh (Supra)**.

6. With the above directions/observations, this application is disposed of.

(Prabhat Kumar Singh, J)

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