

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89179 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- BIRAUL District- Darbhanga

1. Indrabali Paswan S/O Late Ram Narain Paswan R/O Village- Kamlawari, P.S- Biraul, District- Darbhanga.
2. Chandrabali Paswan S/O Late Ram Narain Paswan R/O Village- Kamlawari, P.S- Biraul, District- Darbhanga.
3. Hemant Paswan S/O Late Ram Narain Paswan R/O Village- Kamlawari, P.S- Biraul, District- Darbhanga.
4. Balbant Paswan S/O Late Ram Narain Paswan R/O Village- Kamlawari, P.S- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Majid Mahboob Khan, learned counsel

for the petitioners and Dr. Indihar Kumari, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Biraul P.S. Case No. 25 of 2025, F.I.R. dated 16.01.2025 for the offences punishable under Sections 126(2), 115(2), 1118(1), 110 and 3(5) of the B.N.S., 2023.

3. According to prosecution case, petitioners and other co-accused persons came to the house of the informant variously armed and assaulted the informant and his son.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. Although, the petitioners are named in the F.I.R. From perusal of the F.I.R. it appears that the F.I.R. has two parts, in first part, there is general and omnibus allegation against all the accused persons and in the second part, the specific allegation of assault is upon petitioner no. 1 that he assaulted to Dhanraj Paswan and he sustained injuries and the injuries are found to be simple in nature. As far as petitioner nos. 2, 3 and 4 are concerned, there is no specific allegation of assault or overt act against them rather the allegation are general and omnibus. Similarly situated co-accused persons namely, Ramdev Sharma, Anil Paswan and Saroj Paswan have granted anticipatory bail by a coordinate Bench of this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 47172 of 2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Biraul, District- Darbhanga in connection with Biraul P.S. Case No. 25 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have 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.

(Rajesh Kumar Verma, J)

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