

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88793 of 2025

Arising Out of PS. Case No.-308 Year-2025 Thana- PIPRA District- Supaul

Shivdutt Paswan @ Sivdatt Paswan @ Shivdutt Paswan S/o Lachhan Paswan
Resident of village - Bishanpur, Ward NO. 10, Police Station - Pipra, District
- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 191 (2), 126 (2), 115 (2), 118 (1), 109, 117 (2), 352 and 351 (2) of the BNS.

3. The case of the prosecution is that the petitioner along with 14 others, being armed with '*farsa*', '*sword*' and '*iron rod*' arrived and started assaulting the informant indiscriminately. It is further alleged that when Deep Narayan Yadav came to rescue, he was also assaulted by the accused persons and when Mukesh Yadav came to rescue, he too was assaulted by Rajesh Paswan, Rama Paswan, Cheedo Paswan and



the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that a bare perusal of the FIR, would show that at two places allegations have been made against the petitioner, at the first place, he assaulted the informant and at the second place, he has assaulted Mukesh Yadav. However, in both places, the petitioner has been named along with several other accused persons and the nature of the allegation is general and omnibus. It is also submitted that no specific weapons has been attributed to this petitioner. A bare perusal of the order passed by the learned trial Court, shows that injury report of six persons are available in the case diary. However, the order records only two persons as victims, which clearly indicates inconsistency in the prosecution case. Moreover, no injury has been described as grievous in nature. It is further submitted that motive behind the case is clear from the last part of the FIR wherein it has been stated that the accused persons had earlier lodged a case against the informant under SC/ST Act, which was false. It is further submitted that the nature of allegation is general and omnibus and even in the order of the learned trial court does not say so



that anybody has received grievous injury. Moreover, the petitioner is languishing in judicial custody since 14.09.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pipra P.S. Case No. 308 Of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Supaul.

(Ashok Kumar Pandey, J)

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