

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90784 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- BIDUPUR District- Vaishali

Maheshwar Paswan @ Maheshwar Bhagat S/O Late Ramdas Bhagat Resident
of Village- Mokimchak, Police Station- Bidupur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Ranjeet Kumar, learned counsel for the

petitioner and Dr. Mrityunjaya Kr. Gautam, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.11.2025 in connection with Bidupur P.S. Case No. 136 of
2025, F.I.R. dated 18.02.2025 for the offences punishable under
Sections 126(2), 115(2), 329(3), 118(1), 74, 303(2), 352, 351(2)
and 3(5) of the B.N.S, 2023.

3. According to prosecution case, all the accused
persons including this petitioner armed with *lathi*, *danda*, rod
etc. brutally assaulted the informant and her *gotani* and took
away Rs. 25,000/- cash and some ornaments from her house.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. There is case and counter case between the parties and due to admitted land dispute, the present occurrence has taken place. Both the parties are agnates to each other. Although there is specific allegation against the petitioner that he has assaulted to the informant by means of *farsa* on her head due to which she received injury but there is no intention to kill her. The petitioner is in custody since 20.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is case and counter case between the parties and due to admitted land dispute, the present occurrence has taken place, 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 the learned C.J.M, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 136 of 2025 , subject to 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 her absence on two consecutive dates without sufficient reason, 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 her 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 order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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