

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89797 of 2025

Arising Out of PS. Case No.-353 Year-2025 Thana- MURLIGANJ District- Madhepura

1. Naresh Paswan S/O Late Jamun Paswan
 2. Mukesh Paswan@Mukesh Kumar Son of Late Jamun Paswan.
 3. Manish Paswan @ Manish Kumar Son of Naresh Paswan.
- All are R/O village- Bhairopatti, P.S-Murliganj, Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-01-2026 Heard Mr. Binod Kumar Sinha, learned counsel
appearing on behalf of the petitioners and Mr. Ramchandra
Sahni, learned APP for the State.

2. The petitioners seek pre-arrest bail in
connection with Murliganj P.S. Case No. 353/2025
registered for the offence(s) punishable under
Sections 126(2),115(2),109,352,303(2),117(2),3(5) of the BNS.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioners have assaulted
the informant and his sons, as a result of which, they sustained
injuries. Specific allegation of assaulting the informant on his
head and leg is against co-accused Naresh Paswan (petitioner



no.1) and Manish Paswan (petitioner no.3). Allegation against the petitioner no.2 is that he assaulted the son of the informant and he along with other co-accused tried to outrage the modesty of the daughter-in-law of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to land dispute. Petitioner no.1 and informant are own brothers. There is case and counter case between the parties. The injury sustained by the son of the informant is found to be simple in nature, caused by hard and blunt substance, attributable to petitioner no.2. So far as allegation of outraging the modesty of the daughter-in-law of the informant is concerned, the same is ornamental in nature. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also considering the fact that the injury attributable to the petitioner no.2 is found to be simple in nature, I am of the opinion that petitioner no. 2 has, *prima facie*, made



out a case to be released on pre-arrest bail.

7. The petitioner no.2, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura / Concerned Court in connection with Murliganj P.S. Case No. 353/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner no.2 and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. So far as petitioners no.1 and 3 are concerned, considering the nature of allegation made against them, the petitioners no.1 and 3, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider the bail application of the petitioners no.1 and 3 on the same day and pass necessary order on the basis of material which has come in



course of investigation without delay.

10. The present petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

