

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2623 of 2026**

Arising Out of PS. Case No.-282 Year-2025 Thana- DHAMDAHA District- Purnia

1. Raj Kumar Paswan S/o Late Sadanand Paswan R/o Village- Dipoti Purandaha, Ward No 01, PS- Dhamdaha, Distt- Purnea
2. Mamta Devi W/o Raj Kumar Paswan R/o Village- Dipoti Purandaha, Ward No 01, PS- Dhamdaha, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                    |
|--------------------------|---|------------------------------------|
| For the Petitioner/s     | : | Mr.Bijendra Kumar Singh, Advocate. |
| For the Opposite Party/s | : | Mr.Murli Dhar, APP.                |
| For the Informant        | : | Mr. Bipin Kumar, Advocate.         |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      01-04-2026                      Heard learned counsel appearing on behalf of the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Dhamdaha P.S. Case No. 282 of 2025 registered for the offence punishable under Sections 126(2), 115(2) and 109 of the BNS.

3. As per the allegation made in the F.I.R., allegedly the petitioners and other 4-5 other persons tried to kill the son of the informant by putting rope around his neck, as a result of strangulation, the son of the informant became unconscious. Thereafter, the accused persons left the son of the informant on



the bench lying in the Varandah of the informant and they fled away.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent. Petitioner no.1 is the husband of petitioner no.2. Petitioner no.1 mostly lives outside the State and petitioner no.2 runs a shop. There is a case and counter case arising out of the said incidence. He submitted that in absence of petitioner no.1, the son of the informant tried to develop illicit relationship with petitioner no.2 and when she refused to establish physical relationship with the son of the informant, he tried to commit suicide. However, he was saved. Petitioners have clean antecedent.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R. and the case diary in which material has come that in absence of petitioner no.1, the son of the informant had tried to develop illicit relationship with petitioner no.2 and when she refused to establish physical relationship with him, he tried to commit suicide and he was found lying on the bench kept in the



varandah of his house in unconscious condition, however, he was saved. The son of the informant was treated for throat and chest pain. No abnormalities were found outside the neck. As per the opinion of the doctor, injury was caused by thread like object and the nature of injury is simple according to NCCT report. There is a counter case on behalf of the petitioner wherein it has been alleged that the son of the informant wanted to establish physical relationship with her and when she denied, he threatened that he will commit suicide. The son of the informant was found lying on the bench kept in the Varandah of his house which creates serious suspicion that the petitioners have assaulted him. He was treated and he regained his normal health. I find that the petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Purnea in connection with Dhamdaha P.S. Case No. 282 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C /



482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

**(Purnendu Singh, J)**

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