

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.721 of 2026

Arising Out of PS. Case No.-356 Year-2024 Thana- KOCHAS District- Rohtas

1. Umesh Paswan son of Jawahar Paswan Resident of Village - Mainpura, ps-Kochas, Dist- Rohtas
2. Jitendra Paswan Son of Jawahar Paswan Resident of Village - Mainpura, ps-Kochas, Dist- Rohtas
3. Sita Paswan son of late Suhag Paswan Resident of Village - Andaur, ps-Kochas, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rang Nath Pandey, Adv.
		Mr. Vivekanand Vivek, Adv.
For the Opposite Party/s :		Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2026 Heard Mr. Vivekanand Vivek, learned Counsel for
the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kochas P.S. Case No. 356 of 2024 for the offence registered under sections 191(2), 191(3), 190, 126(2), 115(2), 109(1), 352, 75 of BNS, 2023 and 27 of Arms Act.

3. As per the prosecution story, the allegation in the FIR is that in the land of the informant, the petitioner tried to remove the crops, upon objection, allegation is that all the accused persons caught hold of the informant and the family members and assaulted brutally causing injuries on the bodies.



This led to the FIR.

4. Learned Counsel for the petitioners submit that there is case and counter case, both are agnates, the petitioners have no criminal antecedent, the injuries have been found to be simple in nature. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 2,000/- each (totaling Rs. 6,000/-) through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail though concede that the injuries have been found to be simple in nature.

6. Considering the submissions of the parties as also that there is case and counter case, petitioners do not have criminal antecedent and the injuries have been found to be simple in nature, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 2,000/- each (totaling Rs. 6,000/-) as undertaken



by the learned counsel for the petitioners to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-VIII-cum-CJM/In-charge, Sasaram at Rohtas in connection with Kochas P.S. Case No. 356 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month for next six months to mark attendance and at the end of the period, the certificate be



submitted to the Court;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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