

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI**

**A.B.A. No. 426/2026**

**Ref:- Arising out of Mufassil P.S. Case No. 379/2025**

**Dt: 23.12.2025**

**U/S-191(1), 126(2), 115(2), 117(2), 109(1),308(2), 303(2), 351(2) of B.N.S. and 27 Arms Act.**

**In the matter of :-**

**Gopal Paswan, S/o Munna Paswan, Resident of vill. Rajaura Akhtiyarpur, P.S. Muffasil, Distt. Begusarai**

**.....Petitioner**

**Vrs.**

**State of Bihar**

**...Opposite Party**

**Present:- Rishi Kant**

Principal Sessions Judge, Begusarai

**Ld. Counsel for the petitioners :- Sri Chandra Mohan Kumar, Adv.**

**Ld. Counsel for the O.P. :- Ld. P.P. I/C**

**Date of order:-09.03.2026**

**ORDER**

An anticipatory bail petition has been filed on behalf of above named accused/petitioner who is apprehending his arrest in connection with above mentioned case for the offences punishable u/s-191(1), 126(2), 115(2), 117(2), 109(1),308(2), 303(2), 351(2) of B.N.S. and 27 Arms Act and the same has been put up for hearing.

Heard Learned Counsel Sri Chandra Mohan Kumar appearing on behalf of accused/petitioner and Learned P.P. I/C for the State.

The prosecution case, in brief, is that on 22.12.2025 informant was talking with his customers at his shop. In front of his shop, two boys were quarreling with Pappu Pakaura, Chowmin shopkeeper. Informant and his staff went there to settle the matter. In the meantime, both boys called their friends and their family members namely, Vikash Paswan, Umesh Paswan, Himanshu Kumar, Ram Uday Paswan, Gautam Kumar, Pawan Kumar, Rahul Kumar, Jira Devi, Gaurav Kumar @ Chhotu, Aman Kumar, Gopal Paswan came armed with lathi, and deadly weapon and attacked upon him. Vikash Paswan and Pawan Kumar demanded rangdari of Rs. Three lakhs. On raising objection, Gaurav Kumar @ Chhotu, Vikash Paswan, and Pawan Kumar assaulted him by fat and legs. When his son Gaurav Kumar came to save him, then he was assaulted by Himanshu Kumar and Sachin Kumar by fighter. When his wife Anjani Devi came to save them, then she was assaulted by Vikash Kumar by iron rod upon her head due to which she sustained head injury. In the meantime, Jira Devi and Gautam Paswan snatched gold chain from the informant's neck. Aman Kumar ordered to rob them. On this Rahul Kumar, Pawan Kumar and Lutan Paswan looted the cloths kept in his shop and they threatened them to face dire consequences.

Learned counsel for the petitioner submitted that earlier no BA or ABA has been filed on behalf of the petitioner either in this court or Hon'ble High Court, Patna. It was further submitted that the petitioner is quite innocent, has been falsely implicated in the present case, and has committed no offence. The petitioner has got no criminal antecedent. There is no specific allegation of assault against this petitioner. There is case and counter case in between the parties. Injuries are simple in nature. All

the offences are bailable except 109(1), 303(2) of B.N.S. which are super addition to make the case non-bailable. Lastly, he submitted that the petitioner has been no criminal antecedent, and is willing to abide all the conditions imposed by this court. Hence, he deserves the privilege of bail.

Per contra, learned P.P. (I/C) appearing for the State opposed the prayer for bail.

Heard learned counsel for the parties, and perused the case record. From the FIR, it appears that the allegation against the petitioner is that he, along with other co-accused, assaulted the informant and his family members. However, there is no specific allegation of assault and snatching of golden Jewellery has been attributed to the petitioner. There is case and counter case in between the parties. Further, from perusal of injury report of injured attached with case diary, it appears that injured sustained simple injury. Moreover, the petitioner has been no criminal antecedent, as stated in paragraph 3 of the bail application as well as paragraph 62 of case diary.

Considering the aforesaid facts and circumstances and the custody period of petitioner, I find it appropriate to grant bail to the petitioner. Accordingly, the prayer for bail is allowed. Let the accused/petitioner be released on bail on furnishing of bail bond of Rs 10,000/- (ten thousand) with two sureties of like amount each with the satisfaction of learned court below subject to, further conditions:-

1. That one of the bailors must be close relative of the accused/petitioner.
2. That the accused/petitioner undertakes that he shall not indulge in any similar nature of offence till conclusion of the trial and on failing so, court concerned shall be liberty to cancel the bail bond in present case if reported by the prosecution.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

<b>Date of Judgment/Order</b>	09.03.2026
<b>Date of Reserving Judgment/Order</b>	N.A.
<b>Uploading Date</b>	10.03.2026
<b>Uploaded by</b>	Rahul Verma