

In the Court of District & Additional Sessions Judge-VIII, Darbhanga, Bihar.
ABP No. 848 of 2026

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Ref :- Arising out of Bishanpur P.S. Case No.- 146/2022, Dated- 21.11.2022, U/ss 147, 149, 341, 323, 325, 504, 308, 354 (B), 379 of IPC

In the matter of :-

1. Lal Bechan Paswan S/o of Late Rameshwar Paswan aged about 66 years.
 2. Chhotey Paswan S/o Late Rameshwar Paswan aged about 51 years
 3. Prem Paswan @ Premlal Paswan Late Rameshwar Paswan @ Parmeshwar Paswan aged about 68 years.
 4. Tinku Paswan @ Rinku Paswan S/o Premlal Paswan @ Prem Paswan aged about 28 years.
 5. Rahul Paswan S/o Chhotey Paswan aged about 24 years.
 6. Usha Devi W/o Lal Bechan Paswan aged about 50 years.
 - 7 Lalita Devi W/o Chhotey Paswan aged about 46 years
 8. Kushma Devi W/o Prem Lal Paswan @ Prem Paswan aged about 51 years
 9. Pinku Paswan @ Pinku Kumar Paswan S/o Lal Bechan Paswan aged about 25 years
- All R/o Village- Urrea, P.S. Bishanpur, District- Darbhanga.

	----- Petitioners
Versus.	
The State of Bihar	----- Opposite Party

Learned counsel for the petitioners : Sri Ram Briksh Sahani Advocate.

Learned counsel for Opp.Party : Sri Amrendra Narayan Jha, P.P.

Date of order:- 09.06.2026

Present :- Anand Kumar Singh II
Additional Sessions Judge-VIII, Darbhanga

ORDER

1. The petitioners above named seek pre-arrest bail in connection with Bishanpur P.S. Case No.- 146/2022, Dated- 21.11.2022, U/ss 147, 149, 341, 323, 325, 504, 308, 354 (B), 379 of IPC is pending in the court of Learned ACJM-IX, Darbhanga.
2. The case of the prosecution in brief is that on 07.11.2022 at about 13:30 PM gave self statement before the Benta O.P. police official in the unit of Dr. Anil Kumar at DMCH, Darbhanga states that on 01.11.2022 at about 18:00 the informant was sitting on the shop of his brother Jagdish Paswan then all accused persons in a planned way armed with weapons came on the shop of informant and started to abuse when the informant said do not abuse then Lal Bechan Paswan said what you are seeing kill the Ramchandra on this all the persons surrounded the informant and pushed and with the intention to kill

In the Court of District & Additional Sessions Judge-VIII, Darbhanga, Bihar.
ABP No. 848 of 2026

Lal Bechan Paswan hit with iron rod on the head of informant due to which the head of informant broken and he got injured and blood shed and fell on earth then Tinku Paswan armed with lathi made strike on the right leg and the informant cried for help then the brother of informant came there to save.

3. It is submitted by the counsel for the petitioners that the petitioners are innocent and has committed no offence. No such occurrence took place as alleged in the FIR. All the allegations levelled against the petitioners are false and baseless. All the sections of IPC are bailable save and except 308 which is not attributed to these petitioners. The cognizance was taken on 23.11.2023 u/s 341, 323, 325, 308, 504/34 of IPC. The petitioner has received a Lok Adalat notice on 14.03.2026 then the petitioners got knowledge that cognizance is taken u/s 308 of IPC and the case was not disposed off. That case and counter case exist between the parties. The petitioners are ready to abide by all the terms and condition as laid down u/s 438(2) Cr.P.C.
4. The Learned Public Prosecutor opposes the bail petition.
5. Heard and perused the record as per FIR specific allegation of assault is levelled against the accused petitioners namely Lal Bechan Paswan and Chhotey Paswan petitioner no. 1 and 2. It is specifically alleged that accused petitioner Lal Bechan Paswan in course of occurrence assaulted the informant with iron rod on his head in which informant head was injured and informant blood was oozing out and informant fell down on the ground and as per FIR in course of occurrence Chhotey Paswan petitioner no. 2 took out the iron weight from the shop and hit informant's brother on his head in which informant's brother's head was injured and blood started flowing apart from this it is also alleged that in course of Mar-peat petitioner no. 2 Chhotey Paswan took out the gold chain from the neck of informant's son from all these above mentioned assault caused injury to the four persons the injury report of injured Manoj Paswan, Jagdish Paswan, Binod Paswan, Subodh Paswan is attached with the record which show that altogether four persons received injury in course of the occurrence of violence and those injuries are specifically levelled against these two petitioners, petitioner no. 1 and petitioner no. 2 namely Lal Bechan Paswan and Chhotey Paswan. Although all the injuries found are simple in nature but this fact cannot be ignored that four persons have been injured and the allegation of causing assault is specifically against the two accused persons petitioner No. 1 and Petitioner No. 2. In the para 54 of the case diary the allegation against the accused

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ABP No. 848 of 2026

persons has been found to be true under Section 308 of the BNS along with other section of BNS and the charge-sheet has also been filed against the petitioners. Considering the specific allegation of assault levelled against the petitioner No. 1 Lal Bechan Paswan and Petitioner No. 2 Chhotey Paswan the prayer for grant of anticipatory bail made on behalf of these two accused petitioners namely Lal Bechan Paswan and Chhotey Paswan stands **rejected**. However, so far as the remaining accused petitioners are concerned the allegation as levelled against them are general and omnibus that is of abusing and assaulting the informant party and these allegation are not specific against petitioners No. 3, 4, 5, 6, 7, 8 and 9 and none of them carries criminal antecedent considering that the allegation against the petitioners No. 3, 4, 5, 6, 7, 8 and 9 are general in nature and omnibus and the there is no specific allegation attributed to them they deserve to privilege of anticipatory bail accordingly the prayer for anticipatory bail in respect of the petitioners namely Prem Paswan @ Premlal Paswan, Tinku Paswan @ Rinku Paswan, Rahul Paswan, Usha Devi, Lalita Devi, Kushma Devi, Pinku Paswan @ Pinku Kumar is hearby **allowed**. It is hereby directed that in the event arrest or surrender before the learned court below within 15 days from the receipt of copy of this order the above named petitioners are furnish a bail bond of Rs. 10,000/- with two sureties of like amount with an undertaking under Section 438(2) of Cr.P.C.

(Dictated)

(Anand Kumar Singh II)
District & Addl. Session Judge-VIII,
Darbhanga.
09.06.2026

Date of Judgment/Order	09.06.2026
Date of Reserving Judgment/Order	09.06.2026
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