

In the Court of District & Addl. Sessions Judge , Biraul , Darbhanga.

Present

**Sri Shiv Kumar
District & Addl. Sessions Judge- Biraul**

Biraul, dated, the 25th March, 2026

Bail Petition no. 25/2026

Anil Paswan & Ors.

.....**Petitioners.**

Versus

The State of Bihar

.....**Opposite Party**

Counsel for the petitioner :- Sri Vikash Kumar Paswan, Ld. Advocate

Counsel for the State :- Sri Bachcha Rai, Ld. APP

ORDER

25.03.2026 The present bail petition has been filed on behalf of petitioners namely 1.Anil Paswan, S/o Ganesh Paswan, 2.Indu Devi, W/o Anil Paswan who is in judicial custody since 10.01.2026 in connection with Biraul P.S. Case No- 16/2026, for offence u/s 126(2), 127(2), 109, 123, 3(5) of BNS which is pending in the Court of Ld. ACJM-I, Biraul, Darbhanga.

Heard Sri Vikash Kumar Paswan, the Ld. Counsel for the petitioner and Sri Bachcha Rai, Ld. APP on behalf of the State.

The prosecution case in short is that, on 01.01.2026 at 2:00 AM, in night, a phone call came from Mob. No. 9122179276 on my husband Mobile phone, when my husband reply to that phone call then Anil Paswan said, came with me to my sasural for celebrating new year. Then my husband quickly get ready and with him in a Bolero car he went. When i made phone call to my husband then they replied that your husband Dilip Paswan is in unconscious condition and he will not talk to you. Next day I reached at spot and found my husband in an unconscious condition. Then i took him and admitted in DMCH, Darbhanga the doctor forbade to admit him then i took him to a private hospital in Patna. I have doubt that they badly beaten my husband and gave poison.

The Ld. Counsel for the petitioner submits that the petitioners have not committed any offence and they are innocent. The petitioner have falsely been implicated in this false due to enmity and local politics only. For that the above named petitioner who are in judicial custody since 10.01.2026 and sufficiently punished of offence that he has not committed. That no such occurrence did ever take place as alleged in FIR. That there is no criminal antecedent against the petitioner. That all sections are bailable except u/s 109 BNS which is not attracting against these petitioners. For that the petitioners are man and woman of means and not likely to abscond and is ready to furnish the bail bonds to the satisfaction of the court, as such there is no chance of their absconding. So, it is prayed that accused person may be enlarge on bail.

On the other hand Ld. APP appearing for the State opposed the prayer for bail of the petitioner.

Heard, Submissions of both parties and perused the record and considering the discussion made above, The offence is u/s 126(2), 127(2), 109, 123, 3(5) of BNS in which u/s 109 of BNS is non bailable in nature. From the perusal of F.I.R. the petitioner is named accused in this case with allegation that he called the husband of informant in his house and assaulted him and gave him poison and tried to kill him. From the perusal of CD in para 1, 2, 8, 9 lots of evidences are available against these accused petitioners. The offence alleged against the petitioner is serious in nature and considering the aforesaid facts and circumstances of the case as well as gravity of offence I am not inclined to enlarge the petitioner on bail. The present bail petition of the petitioner namely 1.Anil Paswan, S/o Ganesh Paswan, 2.Indu Devi, W/o Anil Paswan, here by BP is **Rejected**. In connection with Biraul P.S. Case No- 16/2026.

(Dictated and Corrected)

(Shri Shiv Kumar)

District & Addl. Sessions Judge
Biraul
25.03.2026