

Court of Sessions Judge, Camp Court, Biraul(Darbhanga)

Present:- Sri Shiv Kumar,

I/c Sessions Judge, Camp Court, Biraul.

BP No. 162/2026(Birbal Paswan and others vs. State of Bihar)

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In the Court of Sessions Judge, Camp Court, Biraul, Darbhanga

BP No. 162 of 2026

In the matter of :-

1. Birbal Paswan, Son of Yogi Paswan
2. Jogi Paswan alias Yogi Paswan, Son of Late Birhaspati Paswan

.....Petitioners

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Ram Bilash Yadav, Ld. Advocate.

For the O.P.(State):- Sri Bachcha Rai, Ld. APP.

Order

04.06.2026 The present bail petition has been filed on behalf of abovenamed petitioners who are in judicial custody since 22.05.2026, in connection with Kuseshwar Asthan PS case No. 308 of 2023, for the offences U/Ss 341, 323, 324, 308, 354B, 379, 504, 506, 34 of IPC, which is pending in the court of Ld. SDJM, Biraul, Darbhanga.

Heard Sri Ram Bilash Yadav the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. APP for State.

The FIR in the present case has been lodged on the basis of application of informant namely Lallu Paswan. The case of the prosecution in brief is that on 06.09.2023 at around 3:30 O'clock the accused persons named in the FIR including petitioners armed with lathi, farsa, and iron khanti came and started abusing informant. Birbal Paswan attacked informant with farsa on his neck which hit on his head. Vikram Paswan assaulted sudhir Paswan with iron khanti on his head. Raushan assaulted Mohan Paswan with farsa on his head. Raj Kishor Paswan sanatched motorcycle of bablu Paswan. Birbal Paswan assaulted him with farsa. Bindiya Devi and Raj Kishor Paswan took box containing cash and clothes. Rajkishor Paswan assaulted father of informant with lathi. Raushan Paswan caught hair of informant's Bhabhi and dragged her. Vikram Paswan torn her saree and blouse.

Ld. Counsel for the petitioner submits that the petitioners are quite innocent and they have not committed any offence. The petitioners have falsely been implicated in this false case. No such occurrence did ever take place as alleged in the FIR. During investigation the petitioners were granted

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anticipatory bail by the Hon'ble High Court by cri. Misc. no. 9688 of 2024 on 29.04.2024 and they have furnished bail bonds on 07.05.2024. After cognizance this is the first appearance of the petitioners. He submits that Ld. Court below has taken cognizance u/s 307 as well as other sections of IPC. The petitioners are ready to abide by all the conditions as imposed by the court. The petitioners are in judicial custody since 22.05.2026. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Upon consideration of submissions advanced on behalf of both the parties this court finds that the petitioner is in judicial custody since 22.05.2026. From perusal of the order sheets it appears that petitioners were granted bail by the Hon'ble High Court and they have furnished their bail bonds on 07.05.2024 before the Court below which is evident from the order-sheet. After that police submitted charge-sheet. Thereafter Ld. Court below has taken cognizance u/s 307 of IPC as well as other section of IPC. After that the petitioner prays for bail before the Court below which has been rejected on 22.05.2026. Considering the aforesaid facts and circumstances of the case and the fact that the petitioners are in judicial custody since 22.05.2026 and the fact that before cognizance they are on bail and after cognizance this is the first appearance of the petitioners as well as other facts and circumstances of the case the present bail petition of abovenamed petitioners is **allowed**. The petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each in connection with K.Asthan P.S. Case No. 308/23 to the satisfaction of the Ld. Court below subject to conditions as laid down u/s 480(3) of BNSS.

(Dictated)

(Shiv Kumar)

I/c Sessions Judge,

Camp Court, Biraul

04.06.2026

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