

Present: Sandeep Mishra

In the court of District and Additional Sessions Judge-I, Katihar

Anticipatory Bail Application 302 of 2026

(Arising out of Barari PS case No. 333 of 2025)

Vikki Kumar Paswan and others versus State

1. Vikki Kumar Paswan, aged 26 years, son of late Upendra Paswan, resident of village Uchla, P.S.- Barari, District- Katihar.
2. Prema Kumar Paswan alias Prem Kumar Paswan, aged 28 years, son of late Upendra Paswan, resident of village Uchla, P.S.- Barari, District- Katihar.
3. Vishal Paswan, aged 23 years, son of late Upendra Paswan, resident of village Uchla, P.S.- Barari, District- Katihar.
4. Rani Kumari, aged 18 years, daughter of late Upendra Paswan, resident of village Uchla, P.S.- Barari, District- Katihar.
5. Meera Devi, aged 58 years, wife of Thakur Paswan, resident of village Uchla, P.S.- Barari, District- Katihar.

... Petitioners

versus

The State of Bihar

... Opposite party

Date	Order	Remark
06.04.2026	1. This is an application for grant of anticipatory bail filed on behalf of the accused petitioners namely (1) Vikki Kumar Paswan, (2) Prema Kumar Paswan alias Prem Kumar Paswan, (3) Vishal Paswan, (4) Rani Kumari, (5) Bindu Devi and (6) Meera Devi in connection with Barari PS Case no. 333 of 2025 registered under sections 126(2), 115(2), 118(2), 117(2), 109, 303(2), 352, 3(5) of Bhartiya Nyaya Sanhita. 2. One Pankaj Kumar Das is the informant of this case. According to the First Information Report, case of the prosecution is that the informant runs the shop of tea and lunch on the "bandh". On 13.11.2025 in the afternoon accused Akshay Kumar Paswan came to the shop of the informant and started demanding articles on credit. When the informant refused to give articles on credit, said Akshay Kumar Paswan abused the informant and threatened the informant to kill him. The informant called his family members who send the accused Akshay Kumar Paswan to his home after making him understand. After sometime, said Akshay Kumar Paswan along with his family members namely Vikki Kumar Paswan, Prema Kumar Paswan, Vishal	

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<u>continued</u> 06.04.2026	Paswan, Kaju Paswan, Rani Kumari, Bindu Devi and Meera Devi came to the shop of the informant carrying lathi, spade (kudal) and “hasua” and assaulted Dheeraj on his head with spade(kudal) causing injury on his head and caused fracture in the hand of the younger brother of the informant. The accused persons also caused cut injury on the ear of Rupmani Kumari with “hasua”. The accused persons also snatched silver chain, locket of gold, mobile, ear- ring of gold and “besar” of neck. 3. It has been submitted on behalf of the petitioners that no bail application, either regular or anticipatory, has been filed on behalf of the petitioners either before this court or before the Hon’ble Court earlier in this case. The petitioners have got no criminal antecedent. The petitioners are quite innocent and they have committed no offence at all. The allegations levelled against the petitioners are totally false and fabricated. The petitioners have been falsely implicated in this case due to some local politics. There is no direct or indirect allegations against the petitioners. As the matter of fact, informant has got the tea stall and general stall and the accused Akshay Kumar have gone to the shop of the informant and demanded articles on credit but in the meantime, the family members of the informant also reached there and thereafter some hot talk took place in between and the informant, finding this advantage filed this false and fabricated case. Moreover, all the offences are bailable in nature except section 109, 118(1) and 303(2) of Bhartiya Nyaya Sanhita but there is no specific allegation against the petitioners. Enmity in between the parties are there on account of which this false case has been filed. On the aforesaid grounds, prayer has been made to grant the privilege of anticipatory bail to the	
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<u>continued</u> 06.04.2026	petitioners. 4. On the other hand, learned APP has opposed the prayer of the petitioners for grant of anticipatory bail and submitted that there are serious allegations against the petitioners that they abused and threatened the informant and assaulted the family members of the informant causing injuries to them and further also committed theft. Therefore, the petitioners are not entitled to be granted the privilege of anticipatory bail. 5. Heard the parties and perused the record. At the time of hearing of this anticipatory bail application, copy of case diary containing 72 paragraphs and supplementary case diary containing 9 paragraphs as well as injury reports of the victims have been produced on behalf of prosecution. So far as the criminal antecedent of the petitioners is concerned, it has been mentioned in paragraph no.59 of the case diary that the petitioners have got no criminal antecedent in the records of Barari Police Station. Allegations against the petitioners are of assaulting the informant and his family members. According to the allegations, the accused persons assaulted Dheeraj on his head with spade(kudal) causing injury on his head and also caused fracture in the hand of the younger brother of the informant. The accused persons also caused cut injury on the ear of Rupmani Kumari with hasua. The accused persons also snatched silver chain, locket of gold, mobile, ear ring of gold and besar of neck. From the perusal of the injury report of the victim, it transpires that on the person of Chandra Dev Ravidas, abrasion wound over right thigh of size of 1/2cm X 1/2cm, abrasion wound of left thumb of the size of 1cm X 1/2cm, and lacerated wound over right parietal of the	
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<u>continued</u> 06.04.2026	size of 1cm X 1/2cm X 1/4cm have been found and the nature of injury is simple caused by hard and blunt object, on the person of Dhiraj Kumar, one lacerated wound over left forehead above eyebrow of the size of 1cm X 1/2cm, lacerated wound over vertex of the size of 1/2cm X 1/4cm x 1/4 c.m. caused by hard and blunt substance have been found. C.T.scan does not show any significant abnormality and nature of the injuries are simple in nature on the persons of Pankaj Kumar no external injury has been found, on the person of Amar Kumar, tender swelling over right elbow and fracture of right upper 1/3 of radius bone has been found caused by hard and blunt substance and the injury is grievous in nature, on the person of Rukmani Devi, lacerated wound over right temporal back of ear of the size of 1/2cm X 1/4cm X 1/4cm has been found caused by hard and blunt substance and the nature of injury has been found to be simple. Therefore, except the fracture of right upper 1/3 of radius bone of Amar Kumar all other injuries found on the victims are simple in nature. The grievous injury is due to fracture of radius bone i.e. on the hand. There is no specific allegation against the petitioners rather the allegations are general in nature. 6. Considering the aforesaid facts and circumstances of the case, particularly the nature of injuries found on the victim and also fact that allegations against the petitioners are general in nature and further three petitioners are women, this court is inclined to grant the privilege of anticipatory bail to the accused petitioners. 7. Accordingly, prayer for grant of anticipatory bail made on behalf of the petitioners namely (1) Vikki Kumar Paswan, (2) Prema Kumar Paswan alias Prem Kumar Paswan, (3)	
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<u>continued</u> 06.04.2026	Vishal Paswan, (4) Rani Kumari, (5) Bindu Devi and (6) Meera Devi made in connection with Barari P.S. Case no. 333 of 2025 is hereby allowed. In the event of the arrest of the petitioners or on surrendering of the petitioners within a period of two weeks from today before the learned court concerned where this case being Barari PS Case no. 333 of 2025 is pending, the petitioners above named (1) Vikki Kumar Paswan, (2) Prema Kumar Paswan alias Prem Kumar Paswan, (3) Vishal Paswan, (4) Rani Kumari, (5) Bindu Devi and (6) Meera Devi are hereby directed to be enlarged on bail in connection with Barari PS Case no. 333 of 2025 on their furnishing bail-bond of Rs. 10,000/- with two sureties of the like amount each subject to the satisfaction of the learned court concerned and further subject to the conditions laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita and further subject to the following conditions:- (i) The petitioners will furnish an undertaking that they will not harass or cause any harm to the informant or his family members in future. However, if it is found that at any point of time the petitioners have caused any harm to the informant or his family members, their bail-bonds will be cancelled and they will be taken into custody. (ii) The petitioners will also furnish an undertaking that they will co-operate during trial. Sd/- (Sandeep Mishra) District and Additional Sessions Judge-I Katihar 06.04.2026	
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