

Korha P.S. Case No. 90/2026
U/S 126(2), 115(2), 118(1), 352, 351(2), 3(5) of the B.N.S.
Accused Name- Suresh Paswan and Mrintunjay Paswan @ Mritunjay Kumar Paswan
P.O.-Asutosh Rai. A.S.J.-II, Katihar
A.B.P. NO. 527/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II

DISTRICT-Katihar
(A.B.P. No. 527/2026)

In the matter of

1. Suresh Paswan, S/o Late Basudeo Paswan

2. Mrintunjay Paswan @ Mritunjay Paswan, S/o Suresh Paswan

Both are R/o- Vill- Nawabganj, P.S.- Korha, Distt.- Katihar.

.....Accused/petitioners.

Vs

State of Bihar.....Opposite Party.

Korha P.S. Case No. 90/2026

U/S- 126(2), 115(2), 118(1), 352, 351(2), 3(5) of the B.N.S.

Ld. Advocate for petitioners- Shri Mahanand Yadav

Ld. A.P.P. for the State- Shri Md. Azaj Alam

ORDER

13.05.2026- This anticipatory bail petition has been filed on the behalf of accused-petitioners namely **Suresh Paswan and Mrintunjay Paswan @ Mritunjay Kumar Paswan** who are apprehending their arrest in connection with aforesaid case.

Heard the Ld. counsel Shri Mahanand Yadav appearing on the behalf of the petitioners and Ld. A.P.P. Shri Md. Azaj Alam on the behalf of the state.

According to F.I.R. prosecution case in nutshell is that informant to this case namely Rajendra Paswan lodged a written report before SHO Korha alleging therein that accused petitioner namely Suresh Paswan was irrigating his field situated in the back side of informant's house through pipe. Someone had cut the pipe but he (informant) was not in knowledge as to who had cut the said pipe. Although he was (Suresh Paswan) making taunt upon informant and he was also using filthy words. But after sometime dispute got pacified after that informant went at the shop of Dinesh Sah then bricks was pelted on his head due to which blood started oozing out. Informant has further stated that Mritunjay Paswan also scuffled with him and also assaulted him. Later on informant got his treatment in PHC Korha.

On the other side learned counsel for the petitioners has reiterated all the grounds taken in the bail petition and has submitted that the petitioners have not committed any offences at all and they have falsely been implicated in this case. He has further submitted that all the sections are bailable except sections 118(1) of the B.N.S. which is not applicable in this case. He has further submitted that Suresh Paswan filed a case against the informant and others vide Korha P.S. case no. 359/2022 so there is long term enmity with the informant. He has further submitted that there are ten days delay in lodging the F.I.R. and the alleged occurrence is on 14.03.2026 and the case was lodged on 24.03.2026. accused-petitioners have got no criminal antecedent. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, Learned A.P.P. has vehemently opposed the prayer for

anticipatory bail.

Heard the both parties and perused the case record from perusal of the case record it is evident that after availing sufficient opportunity prosecution side neither produced C.D. nor injury report of informant. While from perusal of the case record it is evident that informant has never specifically alleged as to who pelted bricks upon him. Further there is no allegation against the petitioners that accused persons made repeated blow upon him. Further case has been lodged after 10 days of alleged occurrence but there is no cogent and reliable explanation has been given for such delay and as per bail petition petitioner has got no bad antecedent.

So having considered the above facts and submissions made by the Ld. Counsel for the petitioners, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioners namely Suresh Paswan and Mrintunjay Paswan @ Mritunjay Kumar Paswan on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482 (2) of the B.N.S.S..

**Addl. Sessions. Judge-II
Katihar**

Date of Order	13.05.2026
Date of Reserving Order	N/A
Uploading Date	22.05.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar