

In the Court of District & Additional Sessions Judge-III, Sheohar.

B.P. No-96/2026

Arising out of Sheohar PS Case No-206/2026

Present:-Sunil Dutt

District & Additional Sessions Judge-III, Sheohar

1. **Harendra Paswan, S/o Kapil Paswan, aged about 42 Years,**

2. **Akash Paswan, S/o Harendra Paswan, aged about 19 Years,**

3. **Rakesh Paswan, S/o Sukhari Paswan, aged about 30 Years,**

**All R/o Vill-Kothiya Sheohar Nagar Parishad, Ward no. 01, PS-Sheohar,
District-Sheohar, Bihar.**

..... (Petitioners)

V /s

State Of Bihar(Opposite Party)

On behalf of State-Md. Arshad Siddique (Ld. APP)

On behalf of defense- Shri Yogendra Shah (Ld. Advocate)

Sl. N o.	Date of Order	Order with signature	Remarks
	<u>01.07.2026</u>	<u>Order</u> A regular bail petition filed on behalf of custody accused/petitioners namely (1) Harendra Paswan, (2) Akash Paswan, (3) Rakesh Paswan who are under judicial custody since 01.06.2026 in connection with Sheohar PS Case No-206/2026, dated-23.05.2026 u/s 126(2), 115(2), 117(2), 109(1), 74, 352, 351(2), 3(5) of BNS has been pressed today for hearing. Copy of the petition has already been served to Ld. APP for the state. Heard Sri Yogendra Shah, Ld. Counsel appearing on behalf of the petitioners and Md. Arshad Siddique Ld. APP for the state and perused the case record. The prosecution story as per FIR in brief is that the informant Upendera Paswan son of Late Ramchandra Paswan R/o Nagar Parishad Sheohar, Ward no. 01, PS-	

<u>Continued</u> <u>01.07.2026</u>	Sheohar, District-Sheohar, lodged written complaint, alleging there in that, on dated 18-05-2026 at about 8:00 P.M after having dinner he came out of his house for a walk and was going to the road side. At the same time Harendra Paswan, Akash Paswan, Lakhindra Paswan, Rakesh Paswan, Sukhari Paswan, Kapil Paswan who were waiting since earlier, and upon seeing him by giving threatening using abusing words and asked him to withdraw the case filed by his wife. On hearing his reply that the case has already been sent to Court so it could not be withdrawn, all of them together started using filthy language when he objected then Akash Paswan started beating with iron rod holding in his hand. In the mean time Rakesh Paswan switched off the light of his house and Sukhari Paswan, Kapil Paswan, Lakhindra Paswan and Harendra Paswan brought sticks and started beating. Rakesh Paswan carrying stick in his hand struck him on the leg. On hearing the commotion his son Manish Kumar, brother Vinod Paswan, <i>bhabho</i> Dulari Devi came from the house to protect him, where upon all the aforesaid persons assaulted Manish Kumar with stick as the result of which his head was injured. Akash Paswan with iron rod in his hand with intent to kill assaulted on his head as a result his head was injured. Harendra Paswan assaulted with stick as result of which his right hand was broken. Sukhari Paswan, Kapil Paswan with intent to kill his brother Vinod Paswan, assaulted with stick on the head of Vinod Paswan causing him badly injured. Lakhindra Paswan with evil intent assaulted his <i>bhabho</i> Dulari Devi on the back with a stick causing her injury on her waist. Rakesh Paswan assaulted on the head of Dulari Devi due to which her head was injured. Akash Paswan tore Dulari Devi's blouse from behind and leaving her exposed. Regarding the incident when dial 112 was called by his family member then	
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<u>Continued</u> <u>01/07/2026</u>	upon seeing the serious condition everyone advised for medical treatment then his neighbors took them to Saroja Sitaram Sadar Hospital Sheohar from where he was referred to Muzaffarpur Medical College for better treatment from where he was discharge on 21.05.2026. Accordingly FIR was instituted. Ld. Counsel appearing for the petitioners has submitted that, earlier regular bail petition of the petitioner's has been rejected from the Court of CJM Sheohar, thereafter no other regular bail petition has been filed or pending either in this Court or before Hon'ble High Court, Patna as mentioned in para-02 of the bail petition. Petitioners have one criminal antecedent as mentioned in para-03 of the bail petition. The learned Counsel further submitted that petitioner are innocent and have been falsely implicated due to dirty village politics in this case. The Ld. Counsel also submitted that on the date of occurrence informant along with others with intent to kill the petitioners assaulted brutally for which Sheohar PS case no-201/2026 dated 19/05/26 has been lodged and to put pressure, informant has falsely implicated the aforesaid petitioners in this case after five days, who are under judicial custody since 01.06.2026. Parties have compromised between themselves and they are ready to follow the conditions of the Court. There is no chances of absconding of the petitioner and they are ready to furnish bail bond as per order of the court. At last it has been prayed to allow the bail petition of the petitioners. <i>Per contra</i> Ld. APP opposed the prayer of bail of the petitioner . Heard both sides and perused the case record. On perusal of the case record it appears that FIR has been lodged u/s - 126(2), 115(2), 117(2), 109(1), 74, 352, 351(2), 3(5) of BNS, in which alleged section 74 and 109 of	
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<u>Continued</u> <u>01/07/2026</u>	BNS are non-bailable. From perusal of para-5, 39, 40 of the case diary it appears that there is land dispute between the parties and allegations of outraging of modesty against the petitioners appears to be ornamental. On further perusal of para-21, 22, 23 and injury report, it appears that on injury report of Upendra Paswan it is mentioned as pain and swelling on right wrist, which is grievous in nature due to fracture of lower third of right Ulna & Chip fracture of styloid process of right Ulna” and injury no 2 on skull which is lacerated wound and his simple in nature both injury has been caused by hard & blunt substance, similarly injury report of Manish Kumar it is mentioned as lacerated wound on middle skull, pain and swelling on left elbow which has been opined as simple in nature. Injury report of Vinod Paswan it is mentioned as headache with swelling on mid skull, pain and swelling on left shoulder and c/o backache and all injuries has been opined as simple in nature. There is case and counter case between parties, the injury opined as grievous is not on vital part of body. All other alleged sections are bailable in nature. Moreover good sense prevail among parties who have compromised between themselves and separate joint compromise petition duly signed by both parties along with injured and identified by their respective learned counsels has been filed which is on the record. Petitioners are under judicial custody since 01.06.2026. Thus, considering the aforesaid facts and circumstances of the case, compromise between parties and the period of custody undergone by the petitioners, this court is inclined to release the petitioner on regular bail. Accordingly the bail petition of the petitioner are here by <u>Allowed</u>. Petitioners (1) Harendra Paswan, (2) Akash Paswan, (3) Rakesh Paswan are directed to be released on regular bail,	
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<u>Continued</u> <u>01/07/2026</u>	after furnishing bail bond of Rs. 10,000 (Ten Thousands) with two sureties of like amount each to the satisfaction of the Court concerned, subject to the further condition that:- (i) one of the bailor shall be either father, mother, brother, sister or any close relative. (ii) the petitioner shall co-operate during investigation and trial. (iv) Bailors shall furnished separate declaration/undertaking u/s 486 of BNSS. Dictated Sd/- (Sunil Dutt) District & Additional Sessions Judge-III, Sheohar. Dated-01.07.2026	
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