

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.
Anticipatory Bail Petition No.-156/2026
Registration No.-156/2026
(Arising out of Ramnagar P.S. Case No.55/2026)

1. Sheshnath Paswan, aged about 58 years, s/o.-Late Janaki Paswan;
 2. Prabhu Paswan, aged about 45 years, s/o.-Late Janaki Paswan;
 3. Rajnath Paswan, aged about 50 years, s/o.-Late Janaki Paswan;
 4. Sunil Paswan, aged about 30 years, s/o.-Sheshnath Paswan;
 5. Tetri Devi, aged about 42 years, w/o.-Prabhu Paswan;
 6. Guddu Paswan, s/o.-Prabhu Paswan;
 7. Sanju Devi, aged about 26 years, w/o.-Prabhu Paswan;
 All r/o. Village-Narainapur Yadav Toli, Ward No.08, P.S.-Ramnagar, District-West
 Champaran.....**Petitioners**
 vs
 State of Bihar.....**Opposite Party**

27.04.2026 Petitioners 1.Sheshnath Paswan, 2.Prabhu Paswan, 3.Rajnath Paswan, 4.Sunil Paswan, 5.Tetri Devi, 6.Guddu Paswan and 7.Sanju Devi apprehends their arrest in connection with Ramnagar P.S. Case No.55/2026, u/s-126(2),115(2),318(1),109(1), 303(2),352,351(2),117(2),3(5) of BNS pending in the learned Court of the S.D.J.M., Bagaha and have filed the present anticipatory bail petition which has been pressed today. Copy of the same has been served to the learned P.P. In-charge for the State. Case diary is available on record.

Sri Vivek Kumar Dwivedi, learned Counsel for the petitioners and Sri Prabhu Prasad, learned P.P. In-charge for State are present before the Court.

The prosecution case in brief as narrated in the fardbayan of informant namely, Sudama Paswan is that on 14.01.2026 at about 10:30 am, his niece Kajal Kumari was washing house, then the water flowed in front of informant's agnates namely Sheshnath Paswan's house, due to which named accused persons in F.I.R. arrived at informant's house armed with lathi-danda and rods and began abusing the informant. When informant objected, Sheshnath Paswan instigated other co-accused persons to kill the informant and upon which Sunil Paswan assaulted the informant on his head by means of farsa causing cut injury on his head. It has been further alleged that Prabhu Paswan assaulted the informant on his left hand by means of bamboo stick due to which his left hand got fractured and Guddu Kumar punched on informant's right eye, injuring it and in course of assault Shyambabu Paswan took out Rs.16,000/- from informant's pocket. It has been further stated when informant's nephew Neeraj Shekhar Kumar and niece Kareena Kumari came to rescue informant, Shyambabu Paswan assaulted informant's nephew on his neck and both arms by means of lathi causing injury to him. It has been further alleged that Sanju Devi, Tetri Devi and Poonam Kumari assaulted informant's niece Kareena Kumari by means of lathi on her nose, back and waist causing injury to her. When informant's nephew Niranjan Kumar came to rescue them, Urmila Devi and Shyambabu Paswan assaulted him by means of lathi-danda on his head, back and waist causing injury to him. Hearing the noise, nearby people gathered and brought informant and other injured to PHC, Ramnagar thereafter for better treatment

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27.04.2026 informant and his nephew were referred to GMCH Bettiah. On the basis of fardbayan of informant, present case was registered.

It has been submitted on behalf of the petitioners that they are quite innocent and have committed no offence as alleged against them. Earlier no other bail application has been filed on behalf of the petitioners either before this Court or any superior Court. Petitioners have got no criminal antecedent. It has been submitted that informant's nephew Niraj Shekhar Kumar has been a former elected ward councillor and due to his influence Ramnagar P.S. Case No.55/2026 has been falsely lodged. It has been further submitted that there is land dispute between the parties. It has been further submitted that it will be clear from perusal of Ramnagar P.S. No.58/2026 in which informant is Prabhu Paswan whose statement was taken by the police on 16.01.2026 at 14:40 o'clock, whose DR No.61/2026 dated 16.01.2026 and from perusal of Ramnagar P.S. No.55/2026, it will be clear that the statement of informant Sudama Paswan was taken on 19.01.2026 at 15:50 o'clock, whose DR No.77/2026 dated 19.01.2026, but due to the influence of informant Sudama Paswan's nephew Neeraj Shekhar Kumar, former ward councilor, the police registered their case earlier. It has been submitted that all sections areailable and sections 109(1) and 303(2) BNS have been added to make the case serious and non-ailable. There is only specific allegation against petitioner No.2 & 4 to assault informant. One of the injury of the informant opined as grievous which is not on the vital part of the body, injury of the other injured is opined to be simple. Hence, they may kindly be granted privilege of anticipatory bail.

On the other hand learned P.P. In-charge for State vehemently opposed the prayer for bail of the petitioners and submitted that there is direct allegation against the petitioners namely Prabhu Paswan and Sunil Paswan to assault informant by means of bamboo stick and farsa respectively, causing head injury and fracture injury on his left hand. Other co-accused persons have also assaulted the informant and his family members. As per injury report of the informant, nature of injury opined to be grievous. Witnesses in case diary have also supported the prosecution. In view of above, petitioners do not deserve anticipatory bail.

Heard the parties and perused the F.I.R and case diary with injury report. From perusal of same, it transpires that petitioners are named in FIR. There is direct allegation against petitioner No.2 Prabhu Paswan and petitioner No.4 Sunil Paswan to assault informant by means of bamboo stick and farsa respectively, causing head and forearm injury to him. One of the injury of the informant is opined as grievous.

Considering the facts and circumstances of the case and materials available on record as discussed above coupled with specific allegation of assault against the petitioner No.2 Prabhu Paswan and petitioner No.4 Sunil Paswan, this Court is not inclined to grant privilege of anticipatory bail to the petitioners. Accordingly prayer for anticipatory bail of the **petitioner No.2 Prabhu Paswan and petitioner No.4 Sunil Paswan** is hereby **rejected**.

So far, prayer for anticipatory bail of other petitioners namely Sheshnath Paswan, Rajnath Paswan, Tetri Devi, Guddu Paswan and Sanju Devi is concerned, there is general and omnibus allegation of assault against these petitioners. There is case and counter case between the parties. Out of seven petitioners, petitioner Nos.5 and 7 are lady and other petitioners are family members. Petitioners have got no criminal antecedent.

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27.04.2026 In view of above, petitioners namely **Sheshnath Paswan, Rajnath Paswan, Tetri Devi, Guddu Paswan and Sanju Devi** in event of their arrest or surrender before the learned Court below within a period of one month from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below subject to the conditions as laid down u/s-438(2) Cr.P.C. **with further condition that one of the bailor shall be close relative of the petitioner.**

(Dictated & Corrected)

(Manish Dwivedi)
District & Addl. Sessions Judge 1st

Date of order	27.04.2026
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