

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26899 of 2024

Arising Out of PS. Case No.-688 Year-2021 Thana- BRAHMPUR District- Buxar

Shubham Paswan@ Bablu Paswan @ Sambhu Paswan SON OF RADHA
MOHAN PASWAN RESIDENT OF VILLAGE- CHAKKI LAKSHUMAN
DERA, PS- BRAHMPUR (CHAKKI OP), DIST- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 20-09-2024 Heard Mr. Akash Kumar Mishra, learned counsel for
the petitioner and the State.

2. This is the third attempt of the petitioner, the earlier
bail applications having been rejected on 05.09.2022 and
15.09.2023 in Cr. Misc. No. 19213 of 2022 and Cr. Misc. No.
47257 of 2023 respectively.

3. The petitioner is in custody in connection with
Brahmpur (Chakki O.P.) P.S. Case No. 688 of 2021 for the
offence punishable under sections 341, 323, 324, 307 and 34 of
the Indian Penal Code lodged on 12.11.2021 by the informant,
Sudarshan Paswan.

4. As per the prosecution story, the girl who was
preparing herself for army examination was on a morning walk



at 4.00 AM along with her mother who was following her. The allegation is that the accused persons came with an intention to kill her, gave repeated knife blows. However, as the mother approached, they escaped. She was taken to Sadar Hospital, Buxar and from there moved to Trauma Centre, Varanasi for the treatment.

5. In the earlier bail application (disposed of on 05.09.2022), this Court had taken note of paragraph 108 of the case diary which deals with her injury to show how mercilessly she was assaulted.

6. Today, the deposition of the girl before the Trial Court is available, according to which she lost 16 teeth, has a plate between head and right eye and has lost complete eye sight in her right eye.

7. In such cases, the Trial Court should be diligent enough to conclude the same but despite instructions given, unfortunately, it has not been taken to its logical conclusion.

8. The report dated 07.08.2024 issued by the learned Additional Sessions Judge, Buxar is on record according to which, for want of report from B.H.U., Banaras as also the doctors who have been summoned, the matter has not been taken to its logical conclusion.



9. It has further been undertaken that all possible steps shall be taken to conclude the same at an earliest.

10. Accepting the words of the learned Trial Court that the trial will be taken to its logical conclusion at an earliest, so far as the bail application is concerned, the girl in her deposition has identified this petitioner to be the assailant.

11. The bail application stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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