

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10813 of 2025**

Arising Out of PS. Case No.-260 Year-2024 Thana- SARMERA District- Nalanda

Bipi Chauhan @ Bipi Singh Chauhan, aged about 36 years, Male, Son of Late Ramashish Chauhan, Resident of Village - Sondiha, P.S. - Sarmera, District – Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP
For the Informant : Mr. Shahid Aqbal, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER**

3 12-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Sarmera P.S. Case No. 260 of 2024 instituted for the offences punishable under Sections 103(1), 329(4) and 352 of the B.N.S.S.

3. As per the prosecution case, all the accused persons including the petitioner entered in to the house of the informant armed with *lathi* assaulted the mother of the informant (deceased) on her head, resulting into death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics.



He further submits that the deceased happens to be petitioner's own *Fua* (sister of petitioner's father) aged about 75 years at the time of death. He next submits that petitioner's family and informant's family reside in the same village and also related to each other. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 17.11.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR and also perused the impugned order dated 15.01.2025 passed by the learned Principal Sessions Judge, Nalanda at Biharsharif, it appears that on the basis of fardbeyan of the informant Arvind Chauhan, FIR has been lodged under Sections 103(1), 329(4) and 352 of the B.N.S.S. against the sole petitioner. It also appears that the allegation against the petitioner is that the petitioner entered in to the house of the informant armed with *lathi* assaulted the mother of the informant aged about 75 years (deceased) on her head, resulting into head injury and died. The mother of the informant got severe injury and taken to Sadar Hospital, Biharsharif and thereafter, on account of serious injuries, she was referred to P.M.C.H., Patna where on 11.11.2024, she succumbed to her injuries as a result of alleged *lathi* blow. From perusal of the postmortem report, it appears



that the cause of death due to resulting into head injury caused by hard and blunt substance, so consider all these aspects of the case, seriousness of the offence, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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