

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.716 of 2025

Arising Out of PS. Case No.-47 Year-2022 Thana- PAWANA District- Bhojpur

Bhim Yadav Son of Late Kameshwar Yadav Resident of Village- Pawar, P.S.-
Pawana, District- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Rakesh Kumar Paswan Son of Lal Mohan Paswan Resident of Village-
Pawar, P.S.- Pawana, District- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dharmesh Kumar Shrivastava, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-05-2025 Heard Mr. Dharmesh Kumar Shrivastava, learned
counsel for the appellant, Mr. Chandan Kumar, learned counsel
appearing on behalf of the Respondent No. 2 as well as Mr.
Sadanand Paswan, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 13.12.2024
passed by the learned Court of Additional Sessions Judge - 1st
Bhojpur at Ara in connection with Pawana P.S. Case No. 47 of
2024, F.I.R. dated 01.11.2022 registered under Sections 341,
323, 307, 325, 504/34 of the Indian Penal Code, Section 27 of
the Arms Act and Sections 3(i)(r)(s) and 3(2)v of the Scheduled
Castes and Scheduled Tribes (POA) Act.



3. According to the prosecution case, this appellant along with one other accused person abused the informant by his caste name because he has tied his buffalo on the road. On protest made by the informant, the accused persons started assaulting him and this appellant gave lathi blow on his head and also fired upon his grandmother resulting into her death.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that from perusal of the F.I.R it appears that due to some petty dispute the present occurrence has taken place. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offences as alleged in the F.I.R.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State on the basis of material available on record and the case diary have vehemently opposed the prayer for bail of the appellant and submits that from perusal of the F.I.R it appears that there is direct and specific allegation of firing against the appellant that he has fired upon the mother of the informant due to which she died on the spot. Apart from that, the postmortem report also corroborate the allegation as alleged in the F.I.R.



6. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the appellant on bail in connection with Pawana P.S. Case No. 47 of 2022 pending in the court of learned 1st Additional Sessions Judge, Bhojput at Ara.

7. Accordingly, the impugned order is affirmed and this appeal stands dismissed.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

