

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18684 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- DALSINGHSARAI District- Samastipur

ARJUN PASWAN @ ARJUN KUMAR PASWAN S/O- VISHO PASWAN
Village- Baikunthpur Brahnda Tole Ps- Ujiyarpur Dist- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Adv.
For the State	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 125, 281 and 105 of the B.N.S, 2023.

3. The prosecution case as disclosed in the FIR is that while the daughter along with the niece and nephew of the informant were going to collect water, at that very time, the petitioner, in an inebriated state, was driving his motorcycle in a very negligent way and owing to the same, he caused an accident from his motorcycle due to which the daughter of the informant died on the spot, whereas two other children also got injured who were also undergoing treatment.

4. Learned counsel for the petitioner submits that although the occurrence had taken place on 22.07.2024, but the



FIR was lodged on 27.07.2024 i.e. after a lapse of 5 days of the alleged occurrence. It is further submitted that on account of a dispute of the petitioner with the informant, on the alleged date of occurrence, he was brutally assaulted by the informant whereafter he was admitted in Sub Divisional Hospital, Dalsinghsarai and his motorcycle was also kept in custody. Thereafter, the local people decided to settle the matter through Panchayati. The medical report of the petitioner is annexed to the present petition as Annexure-P/2 and Annexure-P/2A which does not indicate that petitioner was under intoxication. It is also submitted that the FIR would itself indicate that the petitioner had neither any intention nor any motive to cause the death of the deceased and at best, it is a case of rash and negligent behaviour of the petitioner.

5. Learned APP for the State opposes the prayer for bail on the ground that there is serious allegation against the petitioner which is supported by the statement of the witnesses in the case diary that the petitioner's callous act has resulted in the death of a child.

6. Taking into consideration the fact that a young child has died while the other has also suffered injuries, although, simple in nature,



hence, I am not inclined to grant anticipatory bail to the petitioner and the application is rejected.

7. However, all the arguments made on behalf of the petitioner shall be considered by the learned Court below while considering the application for regular bail preferably on the same day.

8. The application stands disposed of.

(Soni Shrivastava, J)

Harsh/-

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