

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30637 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- GADHPURA District- Begusarai

Moti Paswan Son of Late Baleshwar Paswan Resident of village - Baluaaha,
P.S.- Garhpura, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-08-2025 Heard Mr. Mahendra Thakur, learned counsel for the

petitioner and Mr. Mohammad Sufyan, learned APP for the

State.

2. The petitioner is in custody in connection with
Garhpura P.S. Case No. 149 of 2024 for the offence punishable
under Sections 130(1), 115(2), 117(2), 126(2), 3(5) of the
B.N.S. lodged on 11.12.2024 by the informant, Mukun Devi.

3. As per the prosecution story, the informant alleged
that petitioner along with his family members physically
assaulted her husband, who was taken to Sanjeevani Hospital
for treatment for spinal fracture, ultimately, he succumbed to the
said injury, despite the operation that took place. The death
happened on 10.12.2024, whereafter the FIR was lodged on
11.12.2024.



4. Learned counsel for the petitioner submits that the occurrence took place on 22.09.2024, the death took place on 10.12.2024 and only thereafter FIR was lodged. The petitioner has no criminal antecedent and it was a case of sudden provocation. He is in custody since 15.03.2025.

5. Learned APP opposes the prayer for bail submitting that a perusal of the learned Sessions Judge's order would show how brutally the husband of the informant was assaulted. The fact that the lady remained busy in the treatment of her husband, who underwent surgery for the spine injury, the fact remains that immediately after the death of her husband on 10.12.2024, the FIR was lodged on 11.12.2024.

6. Taking into account the submissions of the parties as also the nature of allegation that has come against the petitioner, no relief can be granted to the petitioner.

7. The bail application of the petitioner stands rejected.

(Rajiv Roy, J)

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