

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32218 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Paramjit Kumar @ Paramjit Kumar Rai S/o Navi Rai Resident of Ward No. 4,
Samspur, PS- Mahnar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Industrial Area P.S. Case No. 96 of 2024 lodged on 09.08.2024, for the offence punishable under Sections 103(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of Chief Judicial Magistrate, Vaishali at Hajipur.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner alleging that they have killed the informant's son by assaulting him mercilessly.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is a driver and falsely been implicated



in this case. Counsel submits that the name of petitioner has figured in this case by virtue of suspicion and there is neither any eye witness nor circumstantial evidence regarding the involvement of petitioner is there upon perusal of *fardbayan*. Counsel further submits that the petitioner has one criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the Sessions Judge has acknowledged in the rejection order that the informant in his re-statement in para 2 and other witnesses in their statements in para 16, 17 & 19 of the case diary have supported the prosecution case. Para 3 of the case diary shows that the dead body was recovered as stated in the FIR. The postmortem report of deceased mentioned in para 89 of the case diary shows that external injuries were found on the body of the deceased and the doctor has opined that cause of death is due to shock following the said injuries. So, the FIR/*fardbayan* of the informant got support from the postmortem report that the petitioner and other co-accused persons have brutally assaulted the deceased.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected



with liberty that if, petitioner surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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