

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40830 of 2025**

Arising Out of PS. Case No.-30 Year-2025 Thana- AKHODHIGOLA District- Rohtas

Amit Paswan @ Amit Kumar S/o Radha Paswan @ Radha Krishna Paswan  
Resident of Village- Mahuari, P.S.- Akarhigola, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                          |
|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr.Alok, Adv.            |
| For the Opposite Party/s | : | Mr. Choubey Jawahar, APP |
| For the Informant        | : | Mr. Viklap, Adv.         |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**  
**ORAL ORDER**

3      01-09-2025                      Heard learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with Akhorigola P.S. Case No. 30 of 2025 instituted for the offences under Sections 137(2), 140(2), 140(1), 352, 351(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the informant's son got kidnapped from his house while the Swaraswati Puja Procession was passing through his house. It is further alleged that the informant's son and daughter of Anil Paswan were having love affair. When the Informant enquired about his son from Anil Paswan then he was threatened with dire consequences with regard to his son by the F.I.R. named accused persons including



the petitioner. It is further alleged that, later on, the dead body of the deceased was recovered by the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to village politics. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation is against Anil Paswan and Sethi Paswan. Learned counsel for the petitioner further submits that there is glaring discrepancies in the statement of the informant in the F.I.R. and the statement of the girl recorded under Section 161 Cr.P.C. The girl in her statement recorded under Section 161 of the Cr.P.C. has clearly stated that her brother killed the victim boy. The petitioner has no criminal antecedent and are languishing in judicial custody since 12.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that from para-37 of the case diary, it appears that the dead body of the informant's has been recovered by the police. The co-accused JK alias Chandan



Paswan in his confessional statement has confessed his guilt and has also stated about the involvement of the petitioner in the alleged occurrence. The petitioner is named in the F.I.R. and there is direct and unambiguous allegation on the petitioner of causing death of the deceased.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case and keeping in view the nature of allegation, gravity of the offence, materials available in the case diary, the postmortem report of the deceased as also the petitioner being named in the F.I.R., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today. If the trial is not concluded within the period of six months as stated above, the petitioner will be at liberty to renew their prayer for bail before the court below.

**(Rudra Prakash Mishra, J)**

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