

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46148 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- GURUA District- Gaya

Mustkim Kuraishi S/O Late Samhid Kuraishi @ Samid Kuraishi Resident of
Village- Sidharatpur, P.S.- Gurua, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

4 22-09-2025 Heard learned counsel for the petitioner and Mrs.
Renu Kumari, learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Gurua
P.S. Case No. 92 of 2025 instituted for the offences under
Sections 127(1), 115(2), 117(2), 109, 103(1) & 3(5) of the
B.N.S., 2023.

3. As per prosecution case, the accusation against the
petitioner is of assaulting the Informant's daughter by punching
and kicking her as also throwing her to the ground due to which
she sustained grievous injury and, ultimately, died in course of
her treatment.

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. He further submits that there is delay of seven days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that from perusal of the injury report, it appears that the deceased had sustained no external mechanical injuries over her body. The medical report does not corroborate the allegations made in the F.I.R. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 09.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. There is specific allegation of assault against the petitioner due to which the victim died in course of her treatment. Several witnesses in Paras 08, 09, 10 & 11 of the case diary have supported the prosecution case.

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 and as also there being direct allegation against



the petitioner, 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 five months from today. If the trial is not concluded within the period of five months as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

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