

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72784 of 2025

Arising Out of PS. Case No.-251 Year-2025 Thana- RAFIGANJ District- Aurangabad

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Arun Paswan @ Arun Kumar Son of Jaynandan Paswan R/o Village -
Chandaul, P.S. - Rafiganj, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Rafiganj P.S. Case No. 251 of 2025, instituted for the offences punishable under Sections 191(2), 190, 115(2), 117(2), 109, 352, 351 of the Bharatiya Nyaya Sanhita, 2023 and subsequently Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 was added later on.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons have assaulted the informant and his brother by means of various weapons. It is further alleged that the petitioner gave iron *dabi* blow to the



brother of the informant due to which he died in course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. It is next submitted that there is delay of four days in lodging the FIR. It is further submitted that brother of the informant has died during treatment. The petitioner is in custody since 04.07.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of assaulting the deceased on his head by means of iron *dabi*. It is further submitted that cause of death of the deceased, opined by the doctor, is hemorrhage shock due to brain and skull injuries. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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