

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75282 of 2025

Arising Out of PS. Case No.-105 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

1. Laxman Das @ Lakshman Das Son of Late Rajdeo Das Village -Gharbara PS -Bochahan District -Muzaffarpur
2. Shyam sundar Das son of Late Rajdeo Das Village -Gharbara PS -Bochahan District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-11-2025 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners have prayed for regular bail in connection with Bochahan P.S. Case No. 105 of 2020 in a case registered for the offence punishable under sections 302, 307, 326, 147, 149, 504 and 506 of the Indian Penal Code and Sections 3, 4 and 5 of the Witchcraft Act which was earlier rejected vide order dated 21.03.2025 with an observation that the petitioner may be at liberty to renew his prayer for bail after six months, if the trial is not concluded.

3. Stage of trial has also been called for from the learned trial court and from perusal of the stage of trial, it is clear that out out 11 witnesses only one prosecution witness has been examined.



4. Learned counsel for the petitioner has submitted that as per the case of the prosecution, the allegation against these petitioners is that they assaulted the mother of the informant with lathi due to which she became unconscious and during treatment, she died.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail.

6. From perusal of the postmortem report, it is clear that the deceased has received three injuries and the cause of death is *ante-mortem* injuries. Ultimately, there is direct allegation against these petitioners of assaulting an old lady with *lathi* and the doctor has opined that the injuries which were inflicted were sufficient to cause death. As such, I am not inclined to grant bail to the petitioners at this stage. Hence, their prayer for bail stands rejected.

7. Learned trial court is directed to expedite the trial.

8. However, the petitioners will be at liberty to renew their prayer for bail after six months if the trial is not concluded.

(Ashok Kumar Pandey, J)

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