

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85515 of 2024

Arising Out of PS. Case No.-395 Year-2024 Thana- MANER District- Patna

Om Prakash Paswan @ Laddu Paswan S/o- Late Shivpujan Paswan R/o -
Khaspur, Maner, P.S- - Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Maner P.S. Case No. 395 of 2024 lodged on 25.06.2024, for the offence punishable under Sections 302, 201 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against four named accused persons (including the present petitioner) and one unknown person. It has been alleged by the informant that accused persons are the wine seller and they used to put pressure upon the informant's husband to prepare and sell wine and when the informant's husband restrain himself then they



have threatened him that they shall kidnap his wife and children and also used to threatened that they will forcefully kidnap all of them. It has been further alleged that on 23.06.2024 at about 08.00 am, accused persons on gun point kidnap the informant's husband and thrown him in hot container in which wine used to be prepared, by virtue of which, informant's husband was killed.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the present FIR has been lodged after expiry of two days from the date of occurrence and petitioner has unnecessarily been made accused in this case. Counsel further submits that petitioner has no criminal antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that delay in lodging the FIR has already been explained in the *fardbayan* itself. Counsel submits that on the previous occasion, case diary along with post-mortem report has been called for and from the post-mortem report, it is apparent that death has been caused due to shock leading to cardiac respiratory failure due to burn all over the body.



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.

(Dr. Anshuman, J)

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