

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87884 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Sawan Paswan S/O Babulal Paswan Village- Kolhua, Paigambarpur Near
Native Land School, Police Station- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Adv

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ahiyapur P.S. Case No. 278 of 2023 registered for the offences punishable u/s 341, 323, 307 and 379 read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the other co-accused persons had assaulted the son of the informant, namely, Kunal, due to which he sustained grievous head injury, thereafter, he was taken to Maa Janki Hospital, Muzaffarpur for the C.T. Scan, from where the doctor has referred to Karan Neuro Maternity Hospital, Muzaffarpur for his better treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is further submitted that no specific overt act is attributed against the petitioner. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 06.08.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the injured person himself has named the petitioner to be one of the assailants, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances of the case as well as the grievous injury which is sustained by the informant's son, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Ahiyapur P.S. Case No. 278 of 2023 pending in the court of learned Judicial Magistrate-1st Class, Muzaffarpur.

7. However, the petitioner shall be at liberty to renew the prayer for bail once the charges are framed.

8. Accordingly, the present application stands rejected.

(Sourendra Pandey, J)

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