

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17583 of 2026

Arising Out of PS. Case No.-437 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Swaminath Ram S/O Late Bilash Ram Resident of Village- Rampur Madho,
Tola Bhedihari, P.S.- Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhanshu Kumar Lal, Sr. Advocate
		Mr. Javed Aslam, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kuchaikote P.S. Case no.437 of 2025, registered under sections 190, 191(2), 103(1), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, over a dispute it is stated that the petitioner and one another abused the son of the informant. The petitioner is said to have given a blow with a fist on the nose of the informant's son as a result of which he fell down unconscious. Thereafter, it is stated that on his instigation his son as also other family members assaulted him with *lathi*, *danda* seriously injuring him resulting in his subsequent death in course of treatment.

4. Learned Senior counsel appearing for the petitioner



submits that the petitioner has been falsely implicated in the case. The petitioner is not alleged to have assaulted the deceased with any weapon. The postmortem report does not support the allegations so far as the petitioner is concerned. The petitioner is in custody since 27.9.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State, who submits that it was as a result of assault by the petitioner and his family members that the son of the informant died. The allegations are supported from the contents of the postmortem report.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR and the contents of postmortem report as evident from the order of the learned trial Court, in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after four months or on framing on charge, whichever is later.

(Partha Sarthy, J)

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