

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23026 of 2026

Arising Out of PS. Case No.-291 Year-2024 Thana- SHIVSAGAR District- Rohtas

Jai Prakash Paswan S/o Late Budhu Paswan R/v- Kumhau, police station- Shiv Sagar, District- -Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Shiv Sagar P.S. Case No. 291 of 2024 registered for the alleged offences under Sections 103(1) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the informant has been staying in her parental home along with her husband and children. On 02.07.2024, she found her son dead in his room and she was informed by her nephew that the petitioner and two co-accused persons killed the son of the informant with a bamboo stick and belt.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is none other but the father of the deceased



and there was no reason or motive for petitioner to commit the offence as alleged. Learned counsel further submits that only eye witness is a minor boy aged about 14 years and his tutoring could not be ruled out. The quarrel took place at 09:30 AM but the said boy did not raise any alarm until the informant came. From the occurrence, it appears the people from the matrimonial home of the petitioner are trying to falsely implicate the petitioner and his family. Learned counsel further submits that it appears the police has not properly investigated the matter and did not ascertain the whereabouts of the persons who could be involved in the occurrence. Learned counsel reiterates that it is highly improbable and unacceptable that petitioner would kill his own son or the brother or sister-in-law of the deceased would commit such an offence over a property on which all of them were residing together. The petitioner has got no criminal antecedent and is in custody since 01.12.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that from the postmortem report, it appears the deceased was strangled and he died due to asphyxia caused by this strangulation. Nothing suspicious was found in the viscera report. Learned



APP further submits that there is specific allegation against the petitioner and two other co-accused for killing the son of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioner, which is quite serious, I am not inclined to enlarge the petitioner on bail. Hence, his prayer for bail is **rejected**.

07. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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