

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30291 of 2026

Arising Out of PS. Case No.-668 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Raushan Kumar @ Raushan Paswan S/O Shri Ramashankar Paswan R/O
Vill.- Hundri, P.O- Nauthatt, P.S- Belaon, Block- Rampur, District- Kaimur
(Bhabhua), Pin Code- 821104 Bihar

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Prakash, Advocate Mr. Saket Kumar, Advocate Mr. Vivek Raj, Advocate Mr. Shivam Gupta, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-07-2026 Heard Mr. Saket Kumar, learned Advocate for the

petitioner and Mr. Satyendra Narayan Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Bhabhua P.S. Case No. 668 of 2025, registered for the
offences punishable under Sections 103 and 61(2) of the BNS,
2023.

3. Allegedly at about 08:00 PM on 11.08.2025 the
informant received a telephone call from the petitioner, where
she was informed about the critical health of her daughter and
asked her and family members to reach Bhabhua bus stand
immediately. On the aforesaid information, the informant rushed
to the Bhabhua bus stand and found that her daughter was put in



a CNG vehicle near the court. The petitioner asked them to get immediate medical treatment of her daughter and assured that he will follow the vehicle but, later on, in the way he fled away and the informant found that her daughter is no more alive. It is further alleged that the petitioner, on the pretext of providing employment had also fraudulently taken Rs. 20 lakhs and the mobile phone, passbook, ATM card and cheque book of the deceased are also in possession of the petitioner.

4. Learned Advocate for the petitioner submitted that the entire case is based on suspicion, besides instituted with some oblique reason. The inquest report which was duly prepared at 07:30 in the morning of 12.08.2025 clearly suggests that the deceased died on account of illness, and admitting this fact, the father and brother of deceased put their signature. The police had prepared the inquest report but at that point of time none of the family members had disclosed regarding the complicity of the petitioner in the crime. Surprisingly, later on in the evening of 12.08.2025, the informant has instituted an FIR alleging complicity of the petitioner in crime on account of reasons disclosed in the FIR. The post-mortem report also suggests that there was no mark of external injury except one abrasion and since cause of death could not be ascertained



viscera was sent to the Forensic Science Laboratory; where it was reported that in visecral organs Zinc phosphide was detected which is commonly used for killing rats and highly poisonous.

5. Adverting to the aforesaid facts, it is further submitted that on the alleged date of occurrence the deceased had come to attend court proceeding in a matter relating to Section 498A where on account of some reason not known to the petitioner, she might have consumed the poisonous substance which resulted in her death. Prior to the occurrence, none of the witnesses have disclosed that she was ever subjected to any threat or assault at the hands of the petitioner. So far the allegation of taking away Rs. 20 lacs are concerned, no chit of paper has been produced as to when and how such amount has been transferred in the account of the petitioner or given in cash. It is further contended that had the petitioner been involved in occurrence, which took place at bus stand or “Kachahari gate” in Bhabhua, there was no reason to call upon the parents and give information and this fact clearly suggests the innocence of the petitioner, besides he is carrying fair antecedent.

6. On the other hand, learned Advocate for the State



vehemently opposed the bail application and submits that the motive behind killing of the deceased is obvious that in order to misappropriate and grab Rs. 20 lakhs, the petitioner has administered poison due to which she succumbed to the injuries. The suspicion is well founded as alleged in the FIR and duly corroborated by the family members of the deceased in different paragraphs.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of inquest as well as post-mortem report which suggests no mark of injury, besides the father and brother of the deceased themselves have disclosed the police at the time of preparation of inquest report that she died on account of illness; as also the fact that it is the petitioner who had called upon the parents of the deceased while she was critically ill on account of intake of poisonous substance as also the absence of any material fact that the money has been transferred to the petitioner in his account or any cash has been handed over, besides the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail



bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabhua at Kaimur in connection with Bhabhua P.S. Case No. 668 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions that

(i) one of the bailors shall be the own/close family members of the petitioner.

(ii) the petitioner shall fully cooperate with the investigation and ensure his presence in trial, without any absence.

(Harish Kumar, J)

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