

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 792/2026

Ref:- Arising out of Chakia P.S. Case No. 66/2025

Dt: 03.10.2025

U/S- 103(1), 238, 61(2) of B.N.S.

In the matter of :-

**Rohit Kumar @Rohit Paswan, S/o- Ramdeo Paswan, R/o Vill.+P.S.-Cheriya
Bariyarpur, District-Begusarai**

.....Petitioner

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :- Sri Raman Kumar Mishra, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Date of order:-18.06.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioner who has been in judicial custody since 28.03.2026 in connection with above mentioned case for committing of an offence u/s 103(1), 238, 61(2) of B.N.S. and the same has been put up for hearing.

Heard Learned Counsel Sri Raman Kumar Mishra appearing on behalf of accused/ petitioners and Learned P.P. I/C for the State.

Prosecution case, in brief, is that on 03.10.2025 at 07.30 a.m. the informant was on duty then the villagers informed him that a dead body of unknown person was lying in a pit near road 50 meters north to NTPC Railway Line. Acting upon the information, he reached the place of occurrence a dead body of a person was lying in a pit. Upon information, the SHO and other armed forces reached the place of occurrence and asked the villagers to identify the dead body, but the villagers failed to identify the dead body. According to villagers, the deceased died due to dash by unknown driver. After that the death inquest report has been prepared and the dead body was sent to Sadar Hospital, Begusarai for post-mortem. Accordingly, the present case has been registered.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that no B.A. or A.B.A. has been filed by the accused either before this court or before the Hon'ble High Court, Patna. It is further submitted that petitioner is quite innocent, and has committed no any offence, and has falsely been implicated in this case due to village politics. It is further submitted that F.I.R lodged against the unknown. No any eye witness in this case and there is no any circumstances evidence against the petitioner. The petitioner has no criminal antecedent. Lastly, he submitted that the petitioner has been in custody since 28.03.2026, and is ready to abide all the conditions imposed by the court, so petitioner may be released on bail.

Per contra, the Ld. P.P. I/C appearing on behalf of State vehemently opposed the prayer for bail.

Heard the learned counsels for the parties, and perused the photocopy of the case diary. From the records, it appears that the petitioner was not named in the F.I.R. His name came into the case for the first time on the basis of the statement of the deceased's brother, as mentioned in Paragraph 26 of the case diary. In that statement, it was alleged that the petitioner along with other co-accused persons was seen with the deceased at the Durga Puja fair at Khajahanpur on the date of the occurrence. The inquest report attached to the case diary shows that the deceased died due to being hit

by a vehicle. From the case diary, it further appears that the informant, in his re-statement recorded in Paragraph 3, and other witnesses mentioned in Paragraphs 8 and 9 have supported the prosecution's version of the incident. Moreover, the statements of other witnesses recorded in Paragraphs 26, 49, 50, 51, 52, 53, 58 and 69 of the case diary state that they had seen the petitioner and the other co-accused persons with the deceased at Sarwajanik Durga Mandir at Cheriabariyarpur on the relevant date of occurrence. It also appears from the CCTV footage mentioned in the case diary that the deceased was accompanied by the petitioner on the date of the alleged occurrence. Therefore, the deceased was last seen together with the petitioner. However, from the post-mortem report mentioned in Paragraph 35 of the case diary, it appears that the cause of death of the deceased was haemorrhagic and neurogenic shock due to injuries caused by a heavy, hard and blunt object. Further, from the perusal of para 173 and 174 of the case diary in the confessional statement of co-accused confirms the involvement of the petitioner in the alleged offence. Earlier co-accused regular bail has been already rejected by this court on dated.07.03.2026 & 12.03.2026 order passed in B.A No.235/26 & 350/26 and the case of the petitioner stand on similar footing.

Considering the serious nature of the allegations, the consistent statements of the informant and other prosecution witnesses, the medical evidence regarding the cause of death, the fact that the investigation is still pending, this Court is of the view that the case is not fit for granting bail at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

(Dictated)

S/d-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	18.06.2026
Date of Reserving Judgment/Order	N.A
Uploading Date	19.06.2026
Uploaded by	Kunwar Akash Raj