

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29577 of 2016

Arising Out of PS.Case No. -184 Year- 2015 Thana -UJIYARPUR District- SAMASTIPUR

Rajesh Paswan Son of Chhalo Paswan Resident of Village- Laxmipur
Maheshpatti, P.S.- Ujjiarpur, District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Adv.

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-09-2016 Heard both sides.

The petitioner apprehends his arrest in Ujjiarpur P.S.
Case No. 184/2015, registered for the offences punishable under
Sections 341, 323, 337, 354, 316, 506 and 34 of the Indian Penal
Code.

The informant alleged that petitioner indicated her for
having sex when the informant objected, the petitioner threw piece
of bricks causing injury to the informant on her lower abdomen
and there was miscarriage of three months foetus.

Learned counsel for the petitioner submits that there is a
case and counter case. From the side of petitioner Ujjiarpur P.S.
Case No. 185/2015 was registered.

The police during the course of investigation found that

there was mutual scuffle between the two sides in which the informant got injury on her lower abdomen. Other accused persons have already been enlarged on anticipatory bail.

It appears from the F.I.R. and the statements of the witnesses in the case diary that the informant as well as other witnesses have very specifically stated that it was the petitioner who threw the piece of bricks causing injury on the lower abdomen of the informant and there was miscarriage. The doctor also found miscarriage on account of the injury.

Considering the facts aforesaid and the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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