

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38901 of 2016

Arising Out of PS.Case No. -531 Year- 2016 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Golu Paswan, Son of Vinod Paswan, resident of Village- Nahona, P.S.-
Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sasaram (M) P.S. Case No.531 of 2016 registered under Sections
341, 323, 307, 504 and 379/34 of the Indian Penal Code, pending
in the court of the Chief Judicial Magistrate, Rohtas at Sasaram.

The allegation of the informant, Arvind Kumar, is that on
03.05.2016 at about 07.00 A.M., the petitioner came and taking
container went to attend the call of nature but he threw the
container in the field. On query made by the informant, he started
to abuse and also given threatening to the informant. Later on,
when the informant alongwith his brothers, namely, Manoj Kumar

Gupta, Saroj Gupta and his cousin, Arvind Gupta, were going to their house, in the way, this petitioner alongwith Guddu Paswan, Ranjan Paswan, Vijay Paswan and Vinod Paswan, attacked on them. At that time, this petitioner gave a rod blow at Sunil Gupta and Vinod Gupta causing cut injuries on the forehead of Sunil Gupta and little finger of Vinod Gupta. When Saroj, Manoj and Om Prakash Gupta came to save Sunil and Vinod, then Guddu, Ranjan, Vinod and Ajay attacked on them. At that time, they also took Rs.20,000/- from the pocket of the informant.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the mother of the petitioner was abused and assaulted by the informant and others on 03.05.2016 regarding which the mother of the petitioner lodged SC/ST Dehri P.S. Case No.26 of 2016 against the informant and others, due to that reason, the informant has lodged this case against the petitioner and others. Moreover, out of the two injuries, as found on the person of Sunil Kumar, one injury is simple in nature whereas another is grievous in nature, which is shown as hair line fracture over upper occipital (vertex) region of skull. So far as the injuries sustained by Vinod Kumar is concerned, the same are said to be simple in nature.

Having considered the facts and the circumstances of the

case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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