

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51689 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -BAHADURPUR District- DARBHANGA

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Pawan Mahto S/o Jai Kishun Mahto, R/o Vill./Mohalla- Ganj Bajitpur, P.S.-
Bahadurpur , Distt.- Darbhanga.

.... 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 AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 20-09-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Badadurpur P.S.
Case No. 6 of 2018 dated 06.01.2018 instituted under Sections
147/148/149/447/341/323/324/307/379/504/506 and 509 of the
Indian Penal Code.

3. The allegation against the petitioner is of inflicting
Iron Rod blow on the head of the informant as well as his father and
also assault on other family members.

4. Learned counsel for the petitioner submitted that he
has been falsely implicated and was not even present at the place of
occurrence. It was submitted that others have been granted bail by
the Court below. It was further submitted that the parties have



compromised the issue in Panchayati and, thus, now there is peace among the parties.

5. Learned A.P.P. submitted that the petitioner is the sole person who has been named as the assailant inflicting Iron Rod blow on the head of the informant as well as his father and the injury report corroborates the fact that grievous injury on head showing fracture of left frontal bone, which is vital part of the body, had been found on the father of the informant. It was further submitted that the persons having no direct or specific allegation have moved the Court below seeking regular bail and, thus, the petitioner should follow the same procedure.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the Court below within four weeks from today and seeks Regular bail, the same shall be considered taking into consideration the fact that the parties now have compromised the matter.

(Ahsanuddin Amanullah, J)

P. Kumar

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