

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69455 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- THAWE District- Gopalganj

Jasbir Paswan @ Jang Bahadur, Son of Singashan Manjhi, Resident of Village
- Amalathi Khurd, P.S.- Thawe, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2019 This is an application for grant of anticipatory bail in connection with Thawe P.S. Case No. 95 of 2019, disclosing offences under Sections 341, 323, 379, 354B, 504, 506, 302, 34 of IPC.

As per F.I.R. there is allegation that when the petitioner and others were throwing soil on the land of the informant, he protested, thereafter, allegation against the petitioner of tearing the saree and blouse of the informant and snatched away Rs.30,000/- and further he assaulted the deceased by blunt spade, due to which, he received injury and later on, he died during the treatment.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and there is land dispute between the parties. The postmortem report also does



not show any injury over the person of the deceased and Viscera report has been preserved. Further, during the investigation, I.O. has found deceased died, due to stroke as a result of blockage of vein. As a matter of fact, the informant was suffering from serious disease and he died and taking advantage of that, the present case has been lodged against the petitioner.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that the witnesses have also supported the occurrence and also supported the assault by this petitioner on the deceased by blunt portion of the spade.

Having heard both sides, in view of the allegations, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, he has to surrender before the learned court below and make prayer for regular bail, which shall be considered by the learned trial court on its own merit, without being prejudiced by order of this Court, and if, possible to be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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