

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5653 of 2020**

Arising Out of PS. Case No.-63 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

RAVINDRA CHOUDHARY S/o Chamari Choudhary Resident of Village-
Kharota, P.S.- Muffasil, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 31-08-2020 Heard learned counsel for the petitioner and Mr. Dinesh
Singh, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Muffasil P.S. Case No.63/2019 registered for the offences punishable under Sections 341, 323, 324, 302, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in the First Information Report it is alleged that this petitioner had assaulted the deceased by an iron rod but the specific allegation of assault at first instance has been made against co-accused Upendra Chaudhary and Sunil Chaudhary. It is alleged that when the deceased fell down because of those assault thereafter this petitioner assaulted him by an iron rod. According to learned counsel, it is a case of false implication.



Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is pointed out from the postmortem report that the deceased has suffered multiple injuries on vital parts of the body and the multiple injuries causing swelling on middle of the scalp, bruises on parietal region, swelling on elbow and fracture of temporal bone suggests that all the accused persons had assaulted the deceased. It is also pointed out that the petitioner has got criminal antecedent.

In the given facts and circumstances of the case where this Court has noticed that there are allegations of active participation and assault caused by this petitioner and the postmortem report shows multiple injuries as stated above, considering the gravity of the offence alleged and the role of this petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the court below within four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

