

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8354 of 2020

Arising Out of PS. Case No.-45 Year-2019 Thana- PIPRASI District- West Champaran

RADHEY KUSHWAHA @ RADHA KUSHWAHA Son of Beni Kushwaha
Resident of Village- Pipariya, P.S.- Piprasi, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 23-06-2020

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Meena Singh, the learned A.P.P. appearing for the State.

The petitioner apprehends his arrest in connection with Piprasi P.S. Case No. 45 of 2019 for the offence punishable under Sections 341, 323, 324, 379, 504/34 of the Indian Penal Code.

The case of the prosecution in brief is that the accused persons including the petitioner herein had surrounded the informant and had then abused him as also assaulted him with *lathi*, *danda* and *Tangi*. As far as the petitioner is



concerned, he is alleged to have assaulted the informant with *Tangi* on his head.

The learned counsel for the petitioner has submitted that the the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the present case arises out of a case and counter case and both parties have received injuries.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having heard the learned counsel for the parties and considering the submissions made by them as also having taken into account the materials available in the case diary, it is apparent that the informant has received serious injury on his right side of scalp, which is clearly attributable to the allegation of assault on the informant by the petitioner herein and the injuries have been found to be grievous in nature. Thus, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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