

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7934 of 2020

Arising Out of PS. Case No.-65 Year-2019 Thana- CHACKMEHSI District- Samastipur

JAY KISHOR PASWAN @ JAI KISHORE PASWAN Son of Bhola Paswan
Resident of Village - Saidpur Tola Kanua, P.S.- Chakmehshi, Dist.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr.Chandra Bhushan Prasad
Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-06-2020 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 Shri Ashok Kumar, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Chakmehshi P.S. Case No. 65 of 2019, for the offence punishable under Sections 307, 379 and other allied sections of the Indian Penal Code .

The case of the prosecution in brief is that the husband of the informant was cleaning the road by removing the pieces of bricks and in the meantime, all the accused



persons including the petitioner herein arrived at the said place of occurrence and asked him as to why he is removing the bricks, whereafter they started abusing and assaulting him. It is further alleged that when the wife of the informant had come there to save him, the petitioner herein had assaulted on her head by iron weapon, causing injury and then the petitioner is stated to have snatched golden chain from her neck.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the injury report does not corroborate the allegation levelled against the petitioner herein.

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

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that the injury received by the wife of the informant, does not appear to be grievous in nature apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before



the learned court below within a period of four weeks from today, the petitioner, above-named, shall be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,-I, Samastipur in connection with Chakmehshi P.S. Case No. 65 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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