

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14556 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- CHHATAPUR District- Supaul

SHAMBHU PASWAN Son of Dayaram Paswan Resident of Village -
Karhwana, Police Station - Chhatapur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-09-2020 Heard the learned counsel for the petitioner
and Sri Anand Mohan Prasad Mehta, the learned
APP for the State.

This is an application for grant of anticipatory
bail in connection with Chhatapur P.S. Case No. 24
of 2019 registered for the offence punishable
under Sections 147, 148, 352, 149, 341, 323, 324,
307, 379, 504 and 506 of the Indian Penal Code.

The case of the prosecution in brief is that the
accused persons including the petitioner herein
had arrived at the alleged place of occurrence on
the alleged date and time of occurrence and had
assaulted the brother of the informant and



thereafter, they had snatched the gold chain of the informant and had also snatched a sum of Rs. 10,000/-. It is further alleged that when the informant was going to the police station to file a complaint and had reached in between the hospital and the police station, the petitioner herein had given an axe blow on his head, apart from him being assaulted by the other accused persons, resulting in him sustaining grievous injuries.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against all the accused persons, hence, the petitioner is liable to be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking



into account the materials available in the case diary, this Court finds that prima facie, a case is definitely made out against the petitioner herein, for the offences alleged and there is a direct allegation against him of inflicting axe blow on the head of the informant of the present case resulting in him sustaining grievous injuries, hence, I do not find any merit in the prayer of the petitioner for grant of anticipatory bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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