

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8873 of 2020

Arising Out of PS. Case No.-89 Year-2019 Thana- GOVINDPUR District- Nawada

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WASIM KHAN S/o Late Amin Khan Resident of Village- Bahiyara, P.S.-
Govindpur in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-06-2020

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.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Govindpur PS case no. 89 of 2019 registered for the offences punishable under Sections 307 and other allied sections of Indian Penal Code.

The allegation is regarding the petitioner and co-accused person namely Babar Khan having assaulted the informant. The petitioner is stated to have assaulted the informant by means of iron rod.

The learned counsel for the petitioner has



submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that similarly situated co-accused person has already been granted bail by this Court by an order dated 26.11.2019, passed in Cr. Misc. no. 63562 of 2019.

The learned APP for the State has vehemently opposed the prayer for bail and has submitted that it is specifically mentioned in the case diary that the injury attributable to the overt act having been engaged in by the petitioner herein has been found to be grievous in nature by the doctor.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that the petitioner is alleged to have hit the informant by iron rod causing grievous injuries on him, apart from the fact that he is an accused in one other case and is not having a clean antecedent, 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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