

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 11837 of 2020
Arising Out of PS. Case No.-257 Year-2019 Thana- Atri District- Gaya

Sanjit Paswan (male) aged about 46 years, son of Late Ramnandan Paswan, resident of village Narawat, Police station Atri, Distt Gaya Petitioner
Versus
The State of Bihar Opposite Party

Appearance :
For the Petitioner/s : Mr. Aryan Singh, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4	23-09-2020	Heard learned counsel for the petitioner and learned APP for the State, through video conferencing. The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Atri P.S. Case No. 257 of 2019 registered under sections 307 and other sections of the Indian Penal Code. As per allegation in the FIR, it is stated that three named accused persons came and started to abuse the informant. On the informant telling them not to abuse, it is stated that they started to assault with lathi, danda etc.. The petitioner struck with the butt of the pistol causing injury on the head of the informant. It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. Co-accused Jitendra Paswan and Ranjan Paswan have been enlarged on bail. It is further submitted that had there been any intention to kill, the petitioner would have used the fire arm and not just assaulted with the butt of the pistol. In any case, the allegation is incorrect. It is further submitted that although the injury on the
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	informant was opined to be grievous, however, from the investigation itself, it is clear that the informant did not get herself treated at the hospital where she was referred to nor is there any evidence of further treatment. In fact, the informant had no injury. The petitioner has no criminal antecedent. The application for bail is opposed by learned APP for the State. Having heard learned counsel for the parties and on going through the records of the case, it transpires that there is allegation against the petitioner of having struck the informant with the butt of the pistol and the injury on the informant in the opinion of the doctor is grievous in nature. Thus, the Court is not inclined to enlarge the petitioner on anticipatory bail and, as such, the application is rejected. In case, the petitioner surrenders within a period of eight weeks, the learned Court below shall consider the application for bail without being prejudiced by this order of rejection.
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(Partha Sarthy, J)

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