

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26259 of 2020

Arising Out of PS. Case No.-438 Year-2014 Thana- BIRAUL District- Darbhanga

PAWAN RAM Son of Ramdev Ram Resident of Village- Bairampur, P.S.-
Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2020 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 Smt. Sangeeta Sharma, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Biraul P.S. Case No. 438 of 2014 for the offence registered under Sections 302/34 of the Indian Penal Code.

The case of the prosecution in brief, according to the informant, is that while the informant along with other family members, after taking meal on the alleged date and time of occurrence, was going to sleep, the accused persons including the petitioner herein had entered the house of the informant armed with iron rod, lathi etc. and then the petitioner had abused and



assaulted the informant with lathi on her arm and back. It is also alleged that the accused persons including the petitioner herein had also assaulted the mother-in-law of the informant on her head and other parts of her body resulting in her death instantaneously.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that though the petitioner is accused in one other case but he has been discharged by the police.

Per contra, the learned A.P.P. 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 fact that the petitioner has been alleged to have assaulted the informant and her mother, along with other accused persons, resulting in death of the mother of the informant, apart from the fact that the informant has also received serious injuries, 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)

S.Sb/-

U		T	
---	--	---	--

