

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23506 of 2020**

Arising Out of PS. Case No.-269 Year-2019 Thana- BIBHUTIPUR District- Samastipur

SUNIL PASWAN Son of Late Ghanshyam Paswan Resident of Village -
Damodarpur, P.S.- Bibhutipur, Distt.- Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-12-2020 Heard learned counsel for the petitioner and Mr. Nand
Kumar, learned APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Bibhutipur P.S. Case No. 269 of 2019 registered for the offences punishable under Sections 448, 341, 323, 324, 307, 354A, 325, 504, 506/34 of the Indian Penal Code, pending in the court of learned Judicial Magistrate, 1st Class, Rosera, District – Samastipur.

Learned counsel for the petitioner submits that there is a case and counter case between the parties and both the sides seems to have assaulted each other for which some injuries were also caused to the petitioner's side.

Learned A.P.P. for the State submits that in the First Information Report there is a specific allegation against this



petitioner that he had assaulted the son of the informant by iron rod on the parietal region of his head which has caused grievous injury. The allegations get support from the injury report. So far as the injury caused to the petitioner's side is concerned, one Fekan Paswan has suffered simple injury.

Having regard to the facts and circumstances of the case wherein this petitioner has allegedly given a specific blow on the parietal region of the head of the son of the informant which has caused grievous injury, considering the seriousness of the allegation and the materials present, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

