

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.30711 of 2020**

Arising Out of PS. Case No.-145 Year-2019 Thana- BHAIKAVSHTHAN District-  
Madhubani

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Mithun Kumar Paswan, aged about 22 years, (Male), S/o Jagannath Paswan  
R/o Vill.-Raiyam, P.S.-Bhairab Asthan, Distt.-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the State : Mr. Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**Date : 30-01-2021**

Heard Mr. Ashok Kumar, learned counsel for the  
petitioner and Mr. Md. Arif, learned Additional Public  
Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with  
Bhairabh Ashthan PS Case No. 145 of 2019 dated 09.10.2019,  
instituted under Sections 341/323/324/307/379/504/506/34 of  
the Indian Penal Code.

3. The allegation against the petitioner, and another  
named and some unknown, is of assaulting the informant with  
dagger.



4. Learned counsel for the petitioner submitted that he has been falsely implicated due to previous enmity and village politics. It was submitted that the petitioner was not caught at the spot and nothing was recovered from his possession. Learned counsel submitted that the injury reports state that the same are simple in nature and the petitioner has no criminal antecedent.

5. Learned APP submitted that there is specific allegation of inflicting multiple injuries by knife and the injury reports fully corroborates the same which is evident as multiple punctured wounds have been found and further there is cut wound on the skull and head. It was submitted that the petitioner has been directly named as one of the assailants and the injury report, copy of which has been brought on record as Annexure-2 to the present application, fully supports the prosecution version.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the Court below and prays for bail, the same shall be considered on



its own merits, in accordance with law, without being prejudiced  
by the present order.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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