

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30379 of 2020

Arising Out of PS. Case No.-426 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Bhagwan Mishra, aged about 35 years, male, S/o Ramchandra Mishra, R/o
Village- Bari Aughu, P.S.- Muffasil (Begusarai), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 29-01-2021 Heard learned counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Muffasil (Begusarai) P.S. Case No.
426 of 2019, dated 15.08.2019, instituted for the offences
under Sections 341, 323, 307, 504, 324, 379, 447 and 34
of the Indian Penal Code.

The petitioner is alleged to have assaulted the
informant on her head by means of the butt of a firearm



weapon, leading to injuries on her person.

Learned counsel for the petitioner has submitted that because of the dispute over a plot of land, the present case has been lodged. It has further been argued that the injury also is not such which would lend any credence to the narration in the First Information Report. The nature of injury also has not been deciphered by the doctor who has treated the informant. There is only lacerated wound and swelling over the left parietal region.

On the aforesaid grounds, the learned counsel for the petitioner has prayed for grant of bail.

Considering the nature of accusation against the petitioner, I am not inclined to grant anticipatory bail to him.

The prayer for grant of anticipatory bail is, accordingly, rejected.

However, if the petitioner surrenders before the Court below and seeks regular bail, the Court below shall take into account all the relevant facts, viz., the dispute over a plot of land and that the injuries do not correspond to the ocular testimony, and shall pass orders in accordance with



law without being prejudiced by the fact that the present
anticipatory bail application has not been entertained by this
Court.

(Ashutosh Kumar, J)

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