

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31800 of 2020

Arising Out of PS Case No.-79 Year-2020 Thana- PIAR District- Muzaffarpur

Ram Pravesh Paswan, Male, aged about 45 years, Son of Satahu Paswan,
Resident of Village - Matlupur, PS - Piar, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 09-03-2021

Heard Mr. Abhay Kumar, learned counsel for the petitioner and Mr. Humayou Ahmad Khan, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Piar (Hatha OP) PS Case No. 79 of 2020 dated 12.04.2020, instituted under Sections 341, 323, 325, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioner, along with others, is that he had abused the informant for refusing to work in his field and thereafter had also assaulted on head by the handle of the water pump machine but she saved herself and the blow was taken on her shoulder resulting in fracture.



4. Learned counsel for the petitioner submitted that the allegation is totally false and also general and omnibus. It was further submitted that the occurrence took place on 06.04.2020 but the complaint was forwarded to the police on 12.04.2020. Learned counsel submitted that the petitioner has no criminal antecedent.

5. Learned APP, from the case diary, submitted that there is specific allegation of assault on the shoulder by the handle of the water pump machine and the injury report corroborates such allegation. It was further submitted that the highhandedness of the petitioner would be clear from the fact that because the petitioner did not agree to work on his field, he resorted to violence and also abused her.

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.

(Ahsanuddin Amanullah, J.)

P. Kumar

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