

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31578 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- SIKARHATTA District- Bhojpur

JAWALA PASWAN @ JAWALA RAM @ JAWALA PRASAD S/o Indra Dev
Ram Resident of Village-Mopati, P.S.-Sikarahata, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh, A

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Sikarahata P.S. Case No. 06 of 2020 registered for the offence under sections 307 and other sections of the Indian Penal Code.

As per allegation in the first information report, the petitioner is stated to have beaten up the aunt of the informant with a *Lathi* causing injuries.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the first information report are false and concocted. The occurrence has not taken place in the manner as alleged in the first information report. It is submitted that most of the injuries have been found to be simple in nature



and co-accused Indradeo Ram has been enlarged on bail *vide* order dated 27.5.2020 passed in BP No. 838 of 2020 by the learned court below. The petitioner has no criminal antecedent.

The application of anticipatory bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and on perusal of the record, it transpires that there is direct allegation against the petitioner of having assaulted the informant as also her aunt. So far as grant of bail to co-accused Indradeo Ram is concerned, the same had been granted after his remaining in custody for nearly three months. Thus, in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and the same is rejected.

However, in the facts and circumstances of the case and in view of grant of bail to co-accused Indradeo Ram, it is directed that in case the petitioner surrenders within a period of six weeks, the learned court below shall consider the application for bail of the petitioner without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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