

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40961 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

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AVINASH KUMAR PASWAN Son of Arun Paswan Resident of Village -
Pasnpura, P.S. - Sadar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.A.P.P

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-07-2021 As prayed for, through Video Conferencing, let

the learned counsel for the petitioner remove the defect(s) as

pointed out by the office vide its notes dated 30.12.2020 within

four weeks of starting of the Court proceeding in physical mode

in normal course.

Learned counsel for the petitioner and the learned

A.P.P through Video Conferencing.

The petitioner apprehends his arrest in connection

with Laheriasarai (Beta O.P) P.S. Case no. 77 of 2019 registered

under Sections 341, 324, 307 and 504/34 of the Indian Penal

Code.

Accusation is that on 26.2.2020 at about 8.30 p.m,

informant- Amit Kumar proceeded from his house to take



medicine for his grand mother. In the way, Avinash Kumar Paswan (petitioner) along with two unknown at Allapatti chowk dragged him towards Gumti no. 22 and abused him. Avinash Kumar Paswan (petitioner) took out dagger and attacked his belly and left arm due to which blood was oozing out and thereafter, informant called his friend and he took him to hospital for treatment.

Learned counsel for the petitioner submits that petitioner and the informant are co-villagers and due to dirty politics, petitioner has been implicated in this case.

The order dated 06.08.2020 whereby pre-arrest bail of the petitioner was refused by 7th Addl. Sessions Judge, Darbhanga indicates that the informant had sustained elliptical stab wound over his left hypochondrium and chest region. Injuries have been found grievous in nature. Petitioner has also criminal antecedent as detailed in para 3 of the petition.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer of the petitioner for grant of anticipatory bail stands rejected. However, petitioner is directed to surrender before the trial court within four weeks from today and pray for regular



bail, which shall be considered by the trial court in accordance
with law without being prejudiced by order of this Court.

(Rajendra Kumar Mishra, J)

s.hassan/-

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