

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2986 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- BIBHUTIPUR District- Samastipur

1. ROHIT KUMAR @ ROHIT KUMAR PASWAN Son of Sone Lal Paswan Resident of Village- Sukhsaina, P.S.- Bibhutipur, District- Samastipur.
2. HEMANT PASWAN S/o- Sone Lal Paswan Resident of Village- Sukhsaina, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Learned counsel for the petitioner is permitted to correct the name of the district in para-1 of the bail application.

The petitioner apprehends his arrest in Bibhutipur P.S. Case No. 360 of 2021 registered for the offences punishable under Section 341, 323, 506, 147 & 307 of the



Indian Penal Code.

The accusation against the petitioner is that he assaulted Rajendra Mahto by means of rod on his head.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. There is case and counter case between parties. Both sides have sustained injuries. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation against the petitioner of assaulting by means of rod on the head of Rajendra Mahto and the injury is grievous in nature. Hence, the petitioner does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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