

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18685 of 2022

Arising Out of PS. Case No.-178 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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BANTI PASWAN @ BANTI KUMAR SON OF RAJKUMAR PASWAN
R/O VILLAGE- LAKHO, WARD NO.-8, P.S.- MUFASSIL (LAKHO),
DISTRICT- BEGUSARAI Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Begusarai Mufassil P.S. Case no. 178 of 2020 instituted for the
offence punishable under Sections 341, 323, 324, 307, 504, 448,
506, 354/34 of the Indian Penal Code. Section 302 IPC was further
added.

As per allegation in the FIR, accused persons started to
hurl abuses on informant's niece and on protest made by the
informant and his bhabhi, on order of co-accused Raj Kumar
Paswan, co-accused Bhusan Paswan having iron khanti and the
petitioner having iron rod assaulted the informant on his head with
intention to kill him, as a result of which his head broken and he
fell down unconsciously and during treatment he died.. It is further
alleged that all the accused persons threatened his family to dire



consequences if the case has been lodged.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Both parties are agnates and land dispute was going on between them. FIR has been lodged after an unexplained delay of 11 days. Deceased died during course of treatment after 19 days of the occurrence. Other co-accused namely, Sanjeet Paswan has granted anticipatory bail vide Cr. Misc. No. 36160 of 2021 vide order dated 30.07.2021.

Learned APP appearing for the State has opposed the prayer of bail and submitted that there is direct allegation of assault against the petitioner. From perusal of the injury report, doctor opined cause of death due to injury sustained over the left side of scalp and fracture of left parietal bone.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of assault against the petitioner as a result of which deceased later on died, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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