

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39218 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- KHARHAGPUR District- Munger

PAWAN SINGH Son of Sikandar Singh Resident of Village - Barui, P.S.-
Haveli Kharagpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Diwakar Sinha, Advocate Mr. Pankaj Kumar Sinha, Advocate
For the State	:	Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-11-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Haveli Kharagpur P.S. Case No.329 of 2021, registered for the offences punishable under Sections 147, 148, 149, 323, 341, 447 and 307 of the Indian Penal Code.

The prosecution case, in brief, is that on 04.06.2021 at about 11.00 A.M., when the informant was in her house alongwith her family members, the petitioner alongwith other co-accused persons came at her darwaza armed with lathi and iron rod and started abusing the informant. Co-accused, Vinod Singh and Kishore Singh ordered to erect wall. When the son of the informant, Pramod Singh objected, co-accused, Mithlesh Singh and Pawan Singh assaulted him on his head by means of iron rod and iron pipe causing injury on his head. When the



grandson of the informant went to save Pramod Singh, all accused persons assaulted him also.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is land dispute between the parties. Learned counsel for the petitioner submits that there are two Pawan Singh in the FIR and it is not specifically alleged that who assaulted the son of the informant. It is also submitted that the occurrence took place on 04.06.2021 and FIR was lodged on 10.10.2021 after delay of more than four months without giving any explanation which creates a serious doubt on the prosecution case.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the fact that there is delay in lodging the FIR without giving any explanation, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each



to the satisfaction of learned Judicial Magistrate, 1st Class,
Munger in connection with Haveli Kharagpur P.S. Case No.329
of 2021, subject to the conditions laid down under Section
438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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