

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53300 of 2021**

Arising Out of PS. Case No.-232 Year-2019 Thana- KHAGARIA District- Khagaria

Pankaj Paswan @ Punjabi, aged about 55 years, Male Son of Late Sukhdeo
Paswan, Resident of Village- Kamalpur, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 06-04-2022 Heard learned counsel for the parties.

The occurrence is of 17th of March, 2019. The petitioner is in custody in connection with Khagaria P.S. Case No. 232 of 2019 instituted under Sections 341, 323, 504, 506, 307/34 of the Indian Penal Code. Informant Ajeet Kumar is the victim.

As per the prosecution case, there was a marriage and the women from the marriage were dancing on the DJ. Allegation is that the accused persons joined the said dancing. The informant side requested them to keep away from the women which was resented by the accused persons.



It was in the aforesaid circumstance that they came variously armed after midnight and assaulted and in the process, there is specific allegation against this petitioner is that he gave an iron rod blow on the head of the informant causing injury to him and he was rushed to hospital for treatment and thereafter FIR was instituted.

The matter dates back to March, 2019. Learned counsel for the petitioner submits that there is a delay of seven days in the institution of the FIR. He further submits that perusal of the FIR would show that there has been delay in institution of the case and no reason has been explained for its. He further submits that he had preferred anticipatory bail before this Court which was rejected on 16th of October, 2019. However, he has failed to explain the reason for evading the arrest thereafter. It was finally on 17th of June, 2021, that he came into judicial custody.

The specific allegation against him is that he gave iron rod blow on the informant's head causing injury to him. He has further failed to give any plausible reason for evading the arrest for too long after the incident happened on 17th of March, 2019.

In the aforesaid facts, I am not inclined to grant any



relief to the petitioner.

The bail application as such, is rejected.

(Rajiv Roy, J)

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