

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70904 of 2021

Arising Out of PS. Case No.-199 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

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UMA SHANKAR PASWAN Son of Rajdeo Paswan Resident of Village-
Adigopalpur, P.S.- Bonchaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Bochaha
P.S. Case No. 199 of 2021 registered for the offences punishable
under Sections 341, 323, 324, 307, 504 and 506 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.08.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that her son went to vegetable market where
he had altercation with the petitioner, further the petitioner
assaulted her son on chest by *hasuli* and when the victim's
brother came to save him, he was also assaulted by petitioner in



his stomach causing grievous injury.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the informant is not an eye-witness to the occurrence and even presuming what has been alleged is true, without admitting for the purposes of bail, then the occurrence took place on the spur of the moment as altercation had taken place between the son of the informant and the petitioner and also the blow was not repeated.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that though the blow was not repeated and the occurrence might have taken place on the spur of the moment but then the allegation of assault is on the vital part of the body.

Considering the submissions made by the learned A.P.P. for the State, the Court, for the present, is not inclined to grant bail to the petitioner. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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