

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7281 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- KEWATI District- Darbhanga

Pawan Das, Aged about 34 years, Male, Son Of Late Jagarnath Das, Resident
Of Village- Barhi, P.S.- Keoti, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 25-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Keoti P.S. Case No. 167 of 2023 instituted for the offence punishable
under Sections 323, 324, 307, 354, 448/34 of the Indian Penal Code.

3. Allegation against the petitioner is to have assaulted the
informant by means of farsa with intention to kill him as a result of
which informant sustained head injury.

4. It is submitted by learned counsel for the petitioner that
petitioner is innocent and has committed no offence. He has falsely
been implicated in this case due to dirty village politics and previous
enmity. Petitioner and informant are full brother. The F.I.R. has been
lodged after the delay of 5 days from the date of occurrence and there



is no explanation has been given by the informant. There is no specific allegation or any overt act against the petitioner.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order dated 11.12.2023 and case diary along with injury report, it appears that there is specific allegation against the petitioner is that he assaulted to the informant Dukhi Das by means of farsa with intention to kill him due to which he sustained injury on his head. On perusal of injury report of the informant, it appears that nature of injury is grievous and the injuries found on his head are lacerated wound over left parietal region and lacerated wound over forehead. Further, hairline fracture frontal bone in right side with minimal overlying scalp swelling and mild scalp swelling also noted over left parietal bone.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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