

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44762 of 2024

Arising Out of PS. Case No.-190 Year-2020 Thana- AWTARNAGAR District- Saran

ASHOK @ ASHOK UPADHYAY @ BHOLA UPADHYAY, aged about 55 years, Male, SON OF LATE RAJESHWAR UPADHYAY, R/O- VILLAGE- PRATAP PUR, POLICE STATION- AWATAR NAGAR, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-07-2024 Heard Mr. Gopal Govind Mishra, learned counsel appearing on behalf of the petitioner and Mr. Satyendra Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Awatar Nagar P.S. Case No. 190 of 2020 registered for the offence(s) punishable under Sections 341, 323, 324, 120B, 308, 379, 504/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, co-accused persons including the petitioner assaulted the informant. Specific allegation against the petitioner is that of assaulting the informant by means of iron rod, as a result of which, he fell down and thereafter the petitioner and co-accused Arun Upadhyay put thread in the neck of the informant and started



pulling it. Further allegation is that the petitioner assaulted the informant by butt of the pistol, which hit on his chest.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has been falsely implicated in the present case. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that the injury sustained by the informant is grievous in nature and as such, petitioner should not be released on pre-arrest bail.

6. Considering the nature of allegation, as well as, the fact that injuries sustained by the informant are grievous in nature, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, the present bail application stands dismissed.

(Purnendu Singh, J)

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