

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79383 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- HARPUR District- Munger

Panna Lal Paswan @ Panna Lal son of Laxmi Paswan R/o- DurMatta PS-
Harpur Dist- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2024

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Harpur P.S. Case No. 57 of 2023 registered
for the offences punishable under Sections 447, 341, 323, 324,
338, 307, 504, 506/34 of the Indian Penal Code. He has got no
criminal antecedent.

3. As per the prosecution story, on 10.07.2023 at about
07:30 P.M., all the accused persons including this petitioner
arrived in the field of the informant and started abusing the
informant and assaulted the driver of the tractor who was
ploughing the field of the informant. When the informant
protested, Pannalal (this petitioner) assaulted on his head with a
brick which resulted in grievous head injury. It is alleged that
accused Alok Paswan assaulted with *Kachiya* on left side of the
back of the informant.

4. Learned counsel for the petitioner submits that there
is a case and counter case between the parties and the case lodged



by the petitioner's side which is Annexure '2' is prior in time. The present case is a counter blast of the said case.

5. Learned counsel submits that the allegation against the petitioner is that of inflicting a serious injury on the head of the informant.

6. Learned APP for the State points out from the impugned order that the injury caused by the petitioner upon the informant is fatal in nature as it would appear that the petitioner has caused fracture in right temporal bone of the informant. This is in the nature of a grievous injury, hence, the petitioner does not deserve privilege of anticipatory bail.

7. Having regard to the facts and circumstances of the case, taking into consideration the kind of injury inflicted upon the head of the informant and there being a specific allegation that this petitioner has caused the said injury, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

8. The prayer for anticipatory bail of the petitioner is, thus, refused.

9. In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

10. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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