

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.348 of 2024

Arising Out of PS. Case No.-48 Year-2023 Thana- BANDEYA District- Aurangabad

Pawan Bind @ Pawan Kumar, S/o Dhanraj Bind, R/o Village Jhikatiya, P.S.-
Bandeya, Dist.- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Bachan Jee Ojha, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP
For the Informant	:	Mr. Nitya Nand Neeraj, Advocate
		Kumari Anjani Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel appearing on behalf of the

informant.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Bandeya P.S.

Case No.48 of 2023 registered under Section 302 read with

34 of the Indian Penal Code.

3. Allegation against the petitioner is to assault the

husband of the informant along with other co-accused

persons/family members by means of using *lathi*, rod etc.,

causing bodily injuries, where during the course of



treatment, the husband of informant died after 25 days.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated with present case out of soil filling issue, where allegation regarding physical assault is appearing very much general and omnibus against the petitioner along with family members. It is submitted that husband of informant has received stomach injuries, as he fell to the ground during scuffling and as out of negligence in treatment, he developed septicemia, which caused his death. While concluding argument, it is submitted that the petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that informant is the eye witness of the occurrence and out of trivial issues, husband of the informant was brutally assaulted by the petitioner due to which, he ultimately died during the course of treatment. It is submitted that another co-accused persons were granted regular bail by this Court.



6. In view of aforesaid factual submissions and by taking note of fact as it is a case of collective assault along with family member, causing death of husband of the informant, the prayer for grant of anticipatory is rejected herewith.

(Chandra Shekhar Jha, J.)

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