

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37023 of 2013

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Md. Jameel Ahmad @ Jameel Ahmad @ Md. Jameel son of Iftekhar Ahmad, resident of Vilalge Chhatwan, P.S. Keoti, District Darbhanga
 Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 24-12-2013 Heard counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under sections 341, 323, 307, 504 of the Penal Code.

It is alleged that the informant along with her sister and her son went to Darbhanga for her medical treatment and while returning to her village Islampur, they boarded on a bus in Darbhanga. The allegation is that though fare of the bus was given by them, the Conductor/owner of the bus demanded some extra money and on refusal to give extra money, the accused petitioner pushed her down from the running bus as a result of which she fell down and become unconscious.

Learned counsel for the petitioner submits that no case under section 307 of the Penal Code is made out as no intention to murder can be culled out from the prosecution case. It is



submitted that even the medical report of the victim does not indicate any serious symptoms rather a fracture injury of left temporal bone with overlying soft tissue swelling cat at best make out a case under section 325 of the Penal Code.

Learned State counsel submits that as per medical report there is a fracture injury seen on left temporal bone of the informant.

Though prima facie pending final result of the investigation, even if it is not a case under section 307 Penal Code, still as petitioner is alleged to have pushed down the informant from running bus, I think it would be appropriate for the petitioner to seek regular bail. If the petitioner files a regular bail application, the same would be disposed of on the same day taking into consideration that the offence would be bailable one and no case under section 307 of the Penal Code is made out.

With the aforesaid observations and directions, this writ application stands disposed of.

Let this order be communicated to the learned court below through fax at the cost of the petitioner.

(Samarendra Pratap Singh, J)

KHAN/-