

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35377 of 2014

Arising Out of PS.Case No. -394 Year- 2013 Thana -RUNISAIDPUR District- SITAMARHI

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Shivjee Mahto S/o Sathu Mahto R/o village- Rasalpur Malmla, P.S.-
Runnisaidpur, Dist.- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Awadhesh Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

2 24-03-2015 Heard learned counsel for the petitioner and learned
A.P.P.

Referring to Annexure 3, learned counsel for the petitioner submitted that from perusal thereof it is apparent that it falsifies the allegation whatsoever attributed against the petitioner that he gave repeated blow by Farsa over the head of the complainant. It is further submitted that from perusal of Annexure 3, injury report, it is apparent that none of the injuries has been found to have caused by sharp cutting weapon.

Considering the injuries found over the person of the complainant happen to be (i) abrasion over front of head left side ¼ cm x 5 cm x 1 cm. (ii) Pain on hip joint left side and (iii) Pain all body, no offence under Section 307 IPC is made out and in

likewise manner, having delayed in filing the complaint that too after filing of complaint by the wife of the petitioner speaks a lot with regard to genuineness of the version.

The aforesaid appreciation be considered by the learned court below favoruably while hearing the prayer for bail on behalf of the petitioner, more particularly considering the nature of injuries, as indicated above.

With the aforesaid observation and direction present application is disposed of.

(Aditya Kumar Trivedi, J)

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