

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36141 of 2014

Arising Out of PS.Case No. -26 Year- 2014 Thana -NAWADA MUFFASIL District- NAWADA

Binod Paswan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : None.

CORAM: HONOURABLE MR. JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 20-02-2015 Heard learned counsel for the petitioner. None appears on behalf of the State.

Nawada Mufassil P.S.Case No.26 of 2014 has been registered under Section 307 etc Indian Penal Code with specific allegation against the petitioner of giving a blow with *dabi* on the head of the informant.

The rejection order records the submission made by the petitioner before the learned Sessions Judge, Nawada that the informant had not been examined by the doctor as he had not gone to any hospital. The Public Prosecutor Incharge also appears not serious in controverting the submissions and was rather found pointing out to the learned Sessions Judge that the case diary did not have any injury report. It is very difficult under the above facts and circumstances to brush aside the submissions of the petitioner

that the informant did not bear any injury.

Let petitioner surrender in the court below. The court below shall admit the petitioner to bail accepting the bond for a period provisionally and fix the date so as to fixing the period and shall direct the officer who investigated the case to produce the injury report personally before him. If no injury report is produced then the bond shall be confirmed, else the prayer shall be considered on its own merit.

With the above observation and direction, the present petition stands disposed of.

(Dharnidhar Jha, J)

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