

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55659 of 2015**

Arising Out of PS.Case No. -262 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Shambhu Kumar @ Babu Saheb S/o Jai Ram Bhakt @ Bhagat R/o  
village Jurawanpur, Gopalpur, P.S. Bidupur, District- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan (App)

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR**  
**SAHOO**  
**ORAL ORDER**

2      15-12-2015      Heard the learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner, namely, Shambhu Kumar @ Babu  
Saheb is in custody in Bidupur P.S. Case No.262 of 2014 under  
Sections 341, 324, 307, 379/34 of the Indian Penal Code.

According to the prosecution case, this petitioner  
assaulted by knife on the chest of the nephew of the informant  
with intention to kill him. The nephew of the informant is being  
treated in the hospital.

The learned counsel for the petitioner submitted that  
there is no motive for kill the nephew of the informant because  
according to the F.I.R., the nephew of the informant had gone with  
the petitioner himself. According to the injury report, there are

only two sharp cutting injuries found on the person of the nephew of the informant which are minor in nature.

On the other hand, the learned A.P.P. objected the prayer for bail and in fact, after giving knife blow on the chest of the nephew of the informant, the petitioner looted him.

Perused the F.I.R. It appears that the statement of the injured namely Bikram had been recorded by Police which has been annexed as Annexure 2 to this bail application. In his statement, he has also stated that this petitioner gave repeated *chhura* blow on his chest. From perusal of injury report, it appears that out of two injuries, the opinion of one injury has been reserved. Both the injuries are found on the chest of the victim.

In view of the aforesaid facts and circumstances, at this stage, I am not inclined to grant bail to the petitioner. Accordingly, this bail application is rejected.

However, the petitioner is granted liberty to move again after framing of charge before the trial Court who shall consider the same, if merit is found.

**(Mungeshwar Sahoo, J)**

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