

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16219 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -KHIJARSARAI District- GAYA

1. Soni Chaudhary S/o Naresh Chaudhary, R/o Village- Saidpur Pasi Tola,
P.S.- Khijarsarai, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. L.K. Sharma(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-04-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 307 and other minor sections of
the Indian Penal Code.

The allegation against the petitioner is that he gave
baletha blow causing head injury to injured who appears to have
sustained one injury on his frontal region of scalp. Annexure-2 to
this petition shows that opinion regarding the nature of aforesaid
injury was kept reserved. The impugned order of learned
Additional Sessions Judge-IV goes to show that patient was
referred to NMCH, Gaya and from where he was referred to Patna
for better treatment.

Learned counsel for the petitioner submits that concerned investigating officer has already submitted charge sheet without obtaining complete injury report and therefore, it would be presumed that injury found on the person of the injured was simple in nature. It is further submitted that moreover, there was no repetition of blow and as a matter of fact, the informant used to tease the petitioner's daughter and when petitioner went to make complain to injured, altercation took place in which injured sustained injury.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody since 03.02.2016 and the investigation of this case has already been completed, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Gaya in connection with Khijarsarai P.S. Case No. 22 of 2016.

(Hemant Kumar Srivastava, J)

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