

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.308 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -KISHANPUR District- SUPAUL

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1. Md. Muddin Ansari son of late Jan Mohammad Resident of Village-
Momin Tola Ward No.2, Shivpuri Police Station- Kishanpur, District-
Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-01-2016 Supplementary affidavit is filed on behalf of the

petitioner.

This matter has been listed under the heading “To
Be Mentioned” on the ground that petitioner’s mother died on
23.01.2016.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is said to have given spade blow to the
informant as a result of which informant sustained head injury.
The injury report of informant reveals that three injuries were
found on the person of the informant and opinion regarding the
aforesaid injuries was kept reserved and the informant was

referred to Darbhanga Medical Hospital for better treatment but even after completion of the investigation, the investigating officer failed to collect the complete injury report. Moreover, it is submitted on behalf of the petitioner that para-38 of the case diary shows that police found the case true under Sections 147, 148, 149, 341, 323, 379, 447 of the Indian Penal Code but it appears to me that police found the case true under Section 307 and other minor sections of the Indian Penal Code but in course of submission of charge sheet, the investigating officer left to mention Section 307 of the Indian Penal Code in the charge sheet and that is only a slip of pen.

Moreover, taking note of the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that petitioner is in jail custody since long, 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 Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 170 of 2015.

(Hemant Kumar Srivastava, J)

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