

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52832 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -RAUTARA District- KATIHAR

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1. Md. Safique, son of Malekastur, resident of village - Churli Ghat, P.S.
Rautara, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 03-02-2017

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks bail in Rautara P.S. Case No.14
of 2016 instituted for the offence under Section(s) 147, 148, 149,
341, 323, 324, 307, 354, 379, 504, 506 Indian Penal Code pending
before the Judicial Magistrate, 1st class, Katihar.

It has been submitted on behalf of the petitioner that
there is counter case also. The occurrence took place on account of
goat.

On the other hand, counsel for the Informant and the
learned APP submit that there is specific allegation against the
petitioner of causing injury with spear (*Bhala*) in the stomach of
Md. Sakim, husband of the Informant, on account of which his
intestine came out.



The doctor has found grievous injury on the person of the injured over abdomen and the patient was referred from KMCH, Katihar, to higher centre and he was admitted in Paramount Hospital, Silliguri.

From the Injury Report, which is available in the case diary, it appears that one sharp cutting penetrating wound over anterior abdominal wall 1½” x 1” x cavity deep was found and after conservative management patient was referred to higher centre. Exploratory Laparotomy was done in Paramount Hospital, Silliguri, on 29.02.2016.

In this manner, there is serious allegation of causing grievous injury upon the husband of the Informant, which is supported by the Injury Report.

In view of such, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer is rejected.

However, the petitioner may renew his prayer for bail after six months, if no substantial progress is made in the case.

(Sanjay Priya, J)

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