

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43518 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -SANDESH District- BHOJPUR

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1. Jahangir Alam Son of Md. Edaris Mia, resident of Village- Kori, Police Station- Sandesh in the District of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 09-11-2017 Heard both sides.

The petitioner apprehends his arrest in Sandesh P.S. case No. 115 of 2016 for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that some children of the village were quarrelling with each other. The informant saw that Manoj Kumar was being assaulted and when the informant tried to pacify the matter, the accused persons assaulted the informant. The petitioner is alleged to have inflicted dagger blow on the eye of informant.

The learned counsel for the petitioner submits that there is a case and counter case. From the side of petitioner Sandesh P.S. case No. 114 of 2016 was registered, earlier to the



case lodged by the informant. The informant was eve teasing the family members of the petitioner but it appears from perusal of the case diary that, of course, there is a case and counter case but the informant and other witnesses have made very specific allegation that on account of quarrel between children of two sides the occurrence took place and the petitioner is alleged to have given repeated dagger blow in and around the eye of informant. The informant was referred to PMCH, Patna for treatment from where he was referred to AIIMS, New Delhi for better treatment. Of course, opinion regarding nature of injury is not on record but it appears that informant got serious injury in his eye that is why the eye department of PMCH, Patna referred the informant to R.P. Ophthalmology Centre, AIIMS, New Delhi. The injury report shows that the informant got injuries in and around his left eye and there appears to be a case of detachment of retina.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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