

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1796 of 2017

Arising Out of PS.Case No. -501 Year- 2016 Thana -BUXAR District- BUXAR

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Md. Khurshid, S/o Late Seraj Alam, Resident of Mohalla-Machharhata
Ward No-22, P.S.-Buxar (Town), District-Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party : Mr. Sri Surendra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with Buxar
(Town) P.S Case No. 501 of 2016, registered for the offences
punishable under Sections 341, 323, 324, 325, 307, 379, 506,
504/34 of the Indian Penal Code and Section 27 of Arms Act.

Allegedly, the petitioner, Md. Bhuar and Md. Parwez
Alam surrounded the informant and his brother and started
abusing, they knocked the informant down. The petitioner was
having scissor, Bhuar was having a pistol and Md. Parwez was
having a knife. They started assaulting. Md. Naushad @ Md.
Bhuar opened fire also and assaulted with *butt* of the pistol
causing injury to the informant at several places.



Submission is of false implication and that no injury has been found grievous in nature. There was no intention to commit murder and, as such, offence under Section 307 of the Indian Penal Code is not made out and the rest allegations are ornamental and super addition.

Learned A.P.P opposes the prayer of bail by submitting that ten sharp cut injuries and one lacerated wound was found on the person of the informant which shows the intention of the accused person. The doctor has reserved his opinion regarding injury no.5 which is sharp cut injury on the back of skull and during investigation the witnesses have also supported the allegation.

In the facts and circumstances stated above, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected, in connection with Buxar (Town) P.S Case No. 501 of 2016 pending in the Court of learned Chief Judicial Magistrate, Buxar.

(Jitendra Mohan Sharma, J.)

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