

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24899 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -DAGARUA District- PURNIA

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Md. Sahid Alam @ Sahid Alam, Son of Mainuddin, resident of Village-
Kanhariya, P.S.- Dagarua, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate.

For the Opposite Party : Mr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-07-2017 Heard both sides.

The petitioner seeks bail in Dagarua P.S. Case No. 64
of 2016 registered for the offences punishable under Section 307
and other Sections of the Indian Penal Code.

Mahboob Alam the informant named six persons
including Md. Sahid Alam @ Sahid Alam and alleged that there
was land dispute with his uncle and others. A panchayat was held
and the dispute was settled. The informant was constructing the
house. It is alleged that the petitioner along with others came,
abuse the informant and inflicted spear blow on the chest of the
informant. The informant fell down on the ground thereafter
Mainuddin assaulted him on his left scapula region with sword.

Learned counsel for the petitioner submits that there is a



counter version being Dagarua P.S. Case No. 59 of 2016. The occurrence took place on 26.06.2016 but the informant made his statement on 07.07.2016. It is further submitted that there is no repetition of blow. Ofcourse, the injury caused by spear is found on the chest of the informant and the same is opined to be grievous in nature but the petitioner is in jail since 30.08.2016.

Considering the facts aforesaid and the fact that the petitioner gave spear blow on the chest of the informant and the injury is found to be grievous, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after remaining one year and three months in custody.

(Prabhat Kumar Jha, J.)

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