

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24160 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Ravi Nonia, S/o Late Harihar Nonia, Resident of Village- Mahuari, P.S.-
Sonehan (Bhabua), District- Kaimur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Saket Kumar Singh, Advocate
For the informant : Mr. Rajesh Kuamr Advocate
Mr. Vinod Kumar Seth, Advocate
For the Opposite Party : Mr. Madhura Nand Jha (APP-102)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-07-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned counsel representing the

State.

The petitioner seeks bail in connection with
Bhagwanpur P.S Case No. 15 of 2017 registered for the offences
punishable under Sections 326/307 of the Indian Penal Code.

Allegedly, the petitioner cut the neck of Jitendra
Nonia the father of the informant and Jitendra Nonia stated the
name of the petitioner giving signal as he was unable to speak.
During investigation, the injured has given the name of the
petitioner after writing his name as assailant and further gave his
statement also stating the name of others accused also regarding
their participation in the crime vide para 103 of the case diary.

Submission is of false implication and that the



prosecution story appears not probable and reliable, on the injured only one injury has been found on the neck whereas other injuries are on mouth and right cheek for which as per injured other accused Ramjee Nonia and Gopal Nonia are responsible. From the injury report, it reveals that petitioner has not repeated blow and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has assaulted, the injured repeatedly with *farsa* on his neck and further the petitioner has confessed his guilt vide para 81 of the case diary.

In the facts and circumstances stated above, considering that the petitioner has caused injury which has been found dangerous to life and, as such, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Bhagwanpur P.S. Case No. 15 of 2017, pending in the court of learned A.C.J.M.-5th, Kaimur at Bhabua.

However, the petitioner may renew his prayer of bail after remaining nine months in custody.

(Jitendra Mohan Sharma, J.)

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