

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21170 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -BARHARA District- PURNIA

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1. Md. Shakil @ Shakil Akhtar son of Late Nasir Mian resident of village
Khanua, P.S. Dhamdaha, District Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioner, learned Addl.

P.P. for the State as also learned counsel appearing for the

informant.

The petitioner seeks bail in Barhara P.S. Case No. 223 of
2016 instituted for the offence under Sections-307, 435 & other
minor sections of the Indian Penal Code.

Counsel for the petitioner has submitted that injury is said
to have been caused by Gadansa but the doctor opined that the
injury on the person of Md. Jamal, is caused by hard and blunt
substance. The injury No. 1 which was on right side of nasal
bridge over the eye ball has been found to be simple in nature. The
opinion regarding the second injury which is fracture of both of
the nasal bones, caused by hard and blunt substance, is grievous in



nature.

There is allegation against the petitioner of assaulting Md. Jamal on his nose with Gadansa and to Md. Saheb with iron rod on the head.

The injury report of Md. Saheb has been mentioned in the Case Diary wherein the doctor has stated that the patient did not consult any higher centre. So the injury is simple in nature.

As per allegation in the written report, the petitioner assaulted Md. Jamal with Gadansa but the doctor has found the injury caused by hard and blunt object on his person.

In such circumstances, prayer for bail is allowed. The petitioner, named above is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount in connection with Barhara P.S. Case No. 223 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-2, Purnea subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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