

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27195 of 2017

Arising Out of PS.Case No. -664 Year- 2016 Thana -PHULWARI District- PATNA

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Manoj Chaudhary @ Manoj Kumar Son of Suresh Chaudhary, Resident of
Village- Kanahiya Nagar, P.S.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

6 11-10-2017 Heard both sides.

The petitioner seeks bail in Phulwarisharif P.S. Case
No. 664 of 2016, registered for the offences punishable under
Sections 307, 324, 326, 120(B) and 34 of the Indian Penal Code.

The informant alleged that she was sitting on her
Verandah and her husband was plucking flower. The petitioner
Manoj Chaudhary @ Manoj Kumar came there and stabbed her
husband in his stomach and fled away.

Learned counsel for the petitioner submits that the
petitioner is alleged to have given a dagger blow in the stomach of
the husband of the informant, but the Investigating Officer did not
collect the injury report. The injury report was called for and the
same is received from P.M.C.H., Patna. It is further submitted that



there is no repetition of blow. The petitioner is in jail since 30.11.2016 and has got no criminal antecedent.

Learned APP and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that the petitioner is a notorious criminal of the locality. There are four eye witness of the occurrence and they have fully supported the version of the informant. It is further submitted that on account of assault made by the petitioner, the liver of the husband of the informant was damaged and he is still under treatment. Therefore, the petitioner does not deserve bail.

It appears that the informant made allegation that it was the petitioner who gave stab blow in the abdomen of the husband of the informant, but there is no repetition of blow. The doctor of P.M.C.H., Patna found one lacerated wound size 6cm x 3cm. The doctor found laceration of size 3cm x 0.5cm was present in the right lobe of liver over the anterior surface which was repaired.

Considering the facts aforesaid and the fact that the petitioner has got no criminal antecedent and he is in jail for more than eleven months, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in Phulwarisharif P.S. Case No. 664 of 2016.

(Prabhat Kumar Jha, J)

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