

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54543 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -PARASBIGHA District- JEHANABAD

=====

1. Madan Sharma @ Sikandar, S/o America Sharma, Resident of Village-Gopalpur, P.S.- Parasbigha, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Pronati Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel representing the State.

The petitioner apprehends his arrest in connection with Parasbigha P.S. Case No. 125 of 2017, registered for the offences punishable under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

Allegedly, due to old land dispute the petitioner and other F.I.R. named accused persons started abusing the informant and the petitioner threw one big stone which hit on his left eye resulting, he became injured and fell down and then co-accused Shlok Sharma and Neeraj Kumar started pressing his neck assaulted with fists and slap and further Niru Devi also assaulted



him with fists and slap resulting, he became unconscious and he found himself admitted in P.M.C.H., Patna.

Submission is of false implication and that occurrence is of 08.08.2017 but the fardbeyan has been recorded on 13.08.2017 after much delay. On 14.08.2017 and 15.08.2017 the injured was found absent from his bed in P.M.C.H. which is evident from the report of doctor vide Annexure-2 and which is mentioned in para 43 of the case diary also. The injured was moving here and there but got himself admitted in P.M.C.H., everything was found normal even his C.T. scan report but thereafter the injured maneuvered his medical report from Jehanabad which is not reliable and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that grievous injury has been found on the person of the informant. The fardbeyan was lodged in P.M.C.H. where the informant was getting treatment.

In the facts and circumstances as stated above, considering that when the informant was admitted in P.M.C.H. he was found absent from his bed on 14.08.2017 and 15.08.2017 and, as such, the petitioner in the event of his arrest or surrender



within four weeks from the date of receipt/production of a copy of this order shall be released 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, Jehanabad, in connection with Parasbigha P.S. Case No. 125 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

