

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11298 of 2018

Arising Out of PS. Case No.-318 Year-2015 Thana- VAISHALI District- Vaishali

MD. IMTEYAJ ALIAS MD. IMTEYAJ AHMAD S/o Md. Akhtar Hussain,
R/o Village- Alahdadpur, P.S.- Vaishali, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan
For the Opposite Party/s : Mr. Smt. Gulnar Begam

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Vaishali P.S. case no.
318 of 2015 instituted for the offence under Section(s) 341,
323, 324, 354, 504/34 of the Indian Penal Code.

In the written report, there is specific allegation against
this petitioner of causing injury on the head and hand of the
informant with knife.

Learned counsel for the petitioner submitted that
petitioner on the relevant date of the occurrence was on
election duty and he was not present at the place of occurrence.
This Court is of the view that point of alibi can only be
considered at the time of trial.

The case diary has been received wherein the injury



report of the informant is available which shows that she has sustained grievous injury on her head. The Xerox copy of the report of C.T. scan of PMCH is available in the case diary wherein fracture of left parietal bone is seen, on bony arduous with overlaying scalp swelling. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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