

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68218 of 2018

Arising Out of PS. Case No.-175 Year-2018 Thana- THAWE District- Gopalganj

Mukul Sah, Son of Mundrika Sah, Resident of Village- Chitu Tola, P.S.
Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-12-2018

Heard learned counsel for the parties.

Petitioner is apprehending arrest in connection with Thawe PS Case No. 175/2018 for the offence under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Referring to Annexure-2 learned counsel appearing for the petitioner submits that sharp cutting injury is possible if the informant fell from the place where the religious ceremony was going on. Learned counsel representing the opposite party submits that such injury is not possible rather it is on the line of injuries suggested in the FIR.

Considering the aforesaid, let the petitioner's case be sent for expert medical opinion to ascertain the kind of injury sustained by the informant is possible by the kind of weapon allegedly used in commission of the crime. Defence of the



petitioner is that he sustained such injury when he fell down at the place of worship.

In the event the court below finds after receipt of the opinion of the medical expert that injury is in line of the allegation levelled in the FIR he shall reject the application of the petitioner for grant of bail otherwise the petitioner above named shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in connection with Thawe PS Case No. 175 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Meanwhile, there shall be no coercive steps against the petitioner.

(Anil Kumar Upadhyay, J)

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