

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43519 of 2019**

Arising Out of PS. Case No.-1538 Year-2017 Thana- SASARAM NAGAR District- Rohtas

SAHADAR KURAISHI @ SAHADER KURAISHI, aged about 30 years,
Gender-Male, Son of Wakil Kuraishi @ Md. Wakil Ahmad Resident of
Mohalla- Sahjalalpir, P.S.- Sasaram (T), District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 16-07-2019 Heard both sides.

The petitioner apprehends his arrest in Sasaram(T)
P.S. Case No.1538 of 2017 registered under Sections 307, 325,
323, 341, 379, 504 and 34 of the Indian Penal Code.

The informant alleged that her son, Md. Firoz was
going to give Rs.25,000/- to his maternal uncle but when he
reached near the house of Nanhku Kuraishi, Sahadar
Kuraishi(the petitioner) and Faizi Kuraishi(both sons of Wakil
Kuraishi) abused Md. Firoz and the petitioner wearing fighter (a
weapon made of iron usually bore in the fingers) assaulted
causing fracture injury on the jaw of her son.

Mr. Krishna Prasad Singh, learned senior counsel for
the petitioner submits that injury report is Annexure 2. The



informant alleged that the occurrence took place on 21.10.2017 but the injury report(Annexure-2) shows that Md. Firoz, son of the informant was admitted in hospital on 01.10.2017 and the doctor discharged him on 08.10.2017. It is further submitted that during the course of investigation, the Dy.S.P. in his supervision note found that injured, Md. Firoz got injury by blowing lathi on the occasion of Muharram and taking advantage of such incidence, his mother lodged the case on 21.10.2017 alleging that Md. Firoz got injury on account of assault made by the petitioner.

It appears that occurrence took place on 21.10.2017 but from perusal of the injury report, it appears that Md. Firoz was admitted on 01.10.2017 in hospital and doctor treated him and found his mandible bone fractured on the basis of X-ray. The injury report was issued on 08.10.2017.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sasaram in connection with



Sasaram(T) P.S. Case No.1538 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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