

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71891 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- BAHADURPUR District- Patna

Govind Sahani Son of Ram Balak Sahani, a Resident of Mohalla-Sandalpur
Devi Asthan, Police Station-Bahadurpur, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 23-01-2019 Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

The petitioner is languishing in custody since 10.07.2018 in connection with Bahadurpur P.S. Case No.176 of 2018 registered for the offences punishable under Sections 341, 323, 324, 307, 504 of the Indian Penal Code.

Prosecution case as per the fardbeyan of Akhilesh Kumar Gupta recorded by S.I. Bahadurpur P.S. is to the effect that on 08.07.2018 the informant's mother was at her grocery shop when the petitioner Govind Sahni came at the shop in an intoxicated condition and purchased some goods and on demand of cost of the goods purchased, he used abusive language and on protest, he stabbed the mother of the informant and unless the informant came for the rescue of his mother, then the accused stabbed his chest and shoulder while the mother of the informant fell unconscious and was subsequently taken to P.M.C.H. by the family members.



It is submitted by learned counsel for the petitioner that a scuffle took place between the petitioner and the informants mother on dispute over the amount of dues, as the informants mother was charging excessively. The injury have been caused as a result of scuffle between the parties. The injury of the informant has been found superficial simple in nature while the injury of the mother of the informant has been found to be grievous in nature. There is no accusation of repeating the blow. A statement has been made in para 3 of the bail application that the petitioner is having no criminal antecedent.

Learned APP after going through the case diary submits that there is specific accusation made against the petitioner.

Considering the nature of accusation and the fact that the injury of the informant has been found simple in nature, though the mother of the informant has received grievous injury, but there is no accusation of repeating the blow and the statement made in para 3 of the bail application that the petitioner has no criminal antecedent, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IInd, Patna City in connection with Bahadurpur P.S. Case No.176 of 2018.

sanjeev/-

(Dinesh Kumar Singh, J)

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