

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49692 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- DARAUNDA District- Siwan

SAIYAD MOHAMMAD ABBAS Son of Saiyad Ali Resident of Village-
Satjora, P.S.-Daraunda, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-08-2019 Heard both sides.

The petitioner apprehends his arrest in Daraunda P.S.
case No. 43 of 2019 registered under Section 341, 323, 324,
325, 307, 379, 504/34 of the IPC.

The informant alleged that while he was going to
purchase nails, his uncle Saiyad Ali and his son Saiyad Md.
Abbas, the petitioner, assaulted him with Farsa and Khanti. The
uncle of the informant gave repeated blow with Farsa. The
petitioner gave repeated blow with Khanti on his leg causing
fracture injury.

The learned counsel for the petitioner submits that the
occurrence took place on 01.03.2019. The doctor examined the
informant on 01.03.2019 and found plaster on right leg from hip
joint to foot and did not give information with regard to injury



No.1 but the final injury report was given only on 07.06.2019. It is submitted that when the informant was examined by the doctor, the doctor found plaster on his leg. There was no injury on the leg of informant and the petitioner has falsely been implicated in the case on account of land dispute. The petitioner happens to be own cousin of the informant but it appears that the informant made his statement on the date of occurrence in the hospital and the doctor examined him on 01.03.2019 and immediately thereafter the doctor put plaster on the right leg of the informant from joint of hip to foot. On X-ray, which was done on the same day, there was fracture of shaft of tibia and petitioner is author of the injury.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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