

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23555 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- AMDABAD District- Katihar

=====

FARYAJ S/O Sk. Irfan R/O Village - Bairiya, P.S. - Amdabad, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Amdabad Police Station (for brevity, PS) Case No 51 of 2020 instituted for the offence punishable under Section (s) 341, 323, 324, 307, 504, 506/34 of Indian Penal Code.

Allegation against the petitioner is that he has



inflicted knife blow into the stomach of the victim.

Petitioner's counsel submits that the prosecution case is based on false allegation. Actually, there was an altercation out of which petitioner's mother has also lodged a first information report (for brevity, FIR) bearing Amdabad PS Case No 55 of 2020. It is further submitted that the injury report, certifying grievous injury, was later on revised by the Medical Board when it was challenged by the petitioner, which declared it to be simple in nature. Petitioner has no criminal antecedent and he is in custody since 08.03.2020.

The learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner is the person to whom the injury of stab wound has been attributed. The medical report has found the same to be grievous in nature. The informant of Amdabad PS Case No 55 of 2020 has not enclosed any injury report, even as per copy of the FIR brought on record by the petitioner.

In the circumstances, having regard to the gravity of the allegations, this Court, for the present, is not inclined to enlarge the petitioner on bail. The same is rejected.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

