

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80031 of 2019

Arising Out of PS. Case No.-232 Year-2019 Thana- UCHKAGAON District- Gopalganj

1. MD. ABDUL KALAM @ MAHAMAD ABDUL KALAM @ ABDUL KALAM Son of Late Jabbar Mian, aged about 57 years, Male
2. Babuddin Mian Son of Late Kitab Mian, aged about 56 years, Male
Both are resident of Village- Ujra Narayanpur, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Opposite Party/s : Mr. Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 24-06-2020 Heard learned counsel for the petitioners as well as
learned A.P.P.

An allegation has been attributed at the end of Ainul Nesa (injured) to the effect that when she intervened in fighting, on an order of Kalam Mian, Babuddin Mian gave sword blow over her head causing injury thereupon. Bais Ali took away chain.

From the injury report, it is evident that the injured has sustained simple injury caused by hard and blunt substance, singular in number having on right parietal region of head of size 2"x1/2"x muscle deep and that being so, virtually rules out at a glance applicability of Section 307 I.P.C. as well as 324



I.P.C., whereupon the petitioners are well advised to surrender before the learned lower court with a prayer for bail which the learned lower court will consider in the light of the observations given hereinabove.

In terms of above, this petition is disposed of.

(Aditya Kumar Trivedi, J)

Surendra/-

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