

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84776 of 2019

Arising Out of PS. Case No.-161 Year-2019 Thana- SALAKHUA District- Saharsa

Md. Abbas, Male, aged about 66 years, Son of Md. Najif, Resident of Village
- Gorgama, P.S.- Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP
For the Informant	:	Mr. Sanjay Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 17-03-2020

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

2. The petitioner seeks bail in connection with Salkhua
PS Case No. 161 of 2019 dated 04.07.2019 instituted under
Sections 341, 447, 448, 323, 324, 307, 354B, 504/34 of the Indian
Penal Code.

3. The allegation against the petitioner is of stabbing by
knife in the abdomen of the brother of the informant.

4. Learned counsel for the petitioner submitted that
there are different versions coming from different witnesses and,
thus, the prosecution story cannot be believed. It was further
submitted that the allegation of inflicting knife blow in the
abdomen is against two persons in the FIR whereas the injured



himself has taken the name only of the petitioner. It was further submitted that as per the version of the injured person, dagger blow was inflicted on the head, sword blow on the hand and then knife blow on the abdomen but only one stab wound has been found on the abdomen. Learned counsel submitted that the petitioner has no other criminal antecedent and is in custody since 18.10.2019.

5. Learned APP, from the case diary as well as learned counsel for the informant submitted that all witnesses have been consistent in their version that it was the petitioner who inflicted knife blow on the abdomen causing grievous injury. It was further submitted that as far as the petitioner is concerned, there is no discrepancy in the version of the witnesses, including the informant of having inflicted grievous injury on the abdomen.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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