

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86491 of 2019

Arising Out of PS. Case No.-496 Year-2013 Thana- BAHERA District- Darbhanga

NATHUNI MUKHIYA, aged about 55 years, Male, son of Late Yadu Mukhiya @ Jadu Mukhiya, Resident of Village-Andauli, P.S.- Bahera (Alinagar), Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Bahera P.S. Case No. 496 of 2013, registered for the offence under Sections 341, 323, 324, 307, 379, 354, 447 and 504/34 of the Indian Penal Code.

Specific allegation has been made against the petitioner to have caused injury on the head of the informant by *Farsa*. On that score, the bail of the petitioner has not been entertained by the Court below.

Learned counsel for the petitioner submits that the nature of injury is very simple. However, the injury report is not before us.



This Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will examine the nature of injury received by the informant and if it is found that the injury is simple in nature, in such circumstance, the Court below will exercise the discretion in favour of the petitioner and pass appropriate order on the same day without being influenced by the order of this Court.

With the aforesaid observations and directions, this bail petition is disposed of.

(Shivaji Pandey, J)

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