

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9113 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- CHHATAPUR District- Supaul

MD. SABIR SON OF MD. SEKH SADDIR RESIDENT OF VILLAGE-
HARIHARPUR, WARD NO. 7, P.S.- CHHATAPUR, DISTRICT SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 09-08-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Chhatapur PS Case No. 119 of 2020, registered under Sections 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

The allegation is that by iron rod petitioner has assaulted the informant's wife causing injury on her head.



Learned counsel for the petitioner submits that due to previous dispute the scuffle took place where the victim has sustained injury on her head. There is a counter version of the occurrence being Chhatapur P.S. Case No. 120 of 2020 lodged by petitioner's wife.

Submission is of false implication by means of a counter case and that petitioner is in custody since 09.06.2020.

Learned APP has opposed the prayer for bail and submits that in para 10, 11 and 25 of the case diary witnesses have supported the occurrence. Allegation is corroborated by the injury report which shows that there is grievous injury on the head of informant's wife and also fracture.

Considering the rival submissions as also the facts and circumstances of the case, for the present, this Court is not inclined to allow the prayer for bail of the petitioner. Accordingly, the same is rejected.

(Madhuresh Prasad, J)

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