

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7629 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- MANPUR District- Nalanda

1. RAJENDRA PRASAD @ RAJJU MAHTO S/o Late Lala Mahto R/o Mohalla- Chhabilapur, P.S.- Manpur, District- Nalanda
2. Shashishekhar Kumar @ Sidan @ Shashi Shankar Kumar S/o Rajendra Prasad @ Rajju Mahto R/o Mohalla- Chhabilapur, P.S.- Manpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-06-2022 Heard learned counsel for the petitioners and the State as well as learned counsel for the informant.

Petitioners seek regular bail in Manpur P.S. Case no. 129/2021 corresponding to Sessions trial no. 876/2021 registered for the offence punishable under Sections 341, 323, 324, 326, 307/34 of the Indian Penal Code.

Allegedly, petitioners inflicted knife blow to the informant.

The main submissions advanced by the learned counsel for the petitioners are that FIR of the present case was lodged 24 hours after the alleged occurrence, *fardbeyan* of the informant, who is stated to be the main injured, was not



recorded at the hospital and he came at the police station and lodged the present case which shows that he did not sustain any serious injury and petitioner no.1 is 61 years old person and the informant was treated at private hospital as per prosecution story.

Learned counsel for the informant as well as learned APP appearing for the State has vehemently opposed the prayer for bail and submitted that there is serious allegation against the petitioners and the informant sustained knife injury on the vital part of the body.

Heard both sides and perused the FIR as well as injury report of the informant which is Annexure 2. As per allegation both petitioners inflicted knife blow at the left chest wall of the informant and thereafter, he fell down and then again inflicted knife blow on his person. The said allegation shows that the informant was assaulted by knife blow repeatedly and as per his injury report, three injuries were found on his person which has been opined to be grievous in nature.

Considering these facts, in my view, it is not a fit case for bail and accordingly, their prayer for bail stands rejected.

Both petitioners may renew their prayer for bail after examination of the informant before the trial court.



Learned counsel for the informant who is present in the court is directed to produce the informant before the trial court on the next fixed date and if the statement of the informant is not recorded during next two dates in the trial of the petitioners then petitioners may renew their prayer for bail before the court below.

(Shailendra Singh, J)

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