

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48614 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- SAKATPUR District- Darbhanga

MD. MASUM @ MASUM MANSURI Son of Yasin Resident of Village-
Ujjan Kanakpur, P.S.- Sakatpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 341, 324, 354B and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner is said to have given an axe blow on the head of Md. Akbar.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Referring to the FIR it is submitted that the so called injured was taken to the DMCH where the informant states that he was being treated, however, no injury report from the DMCH has been produced and even the so called injury report of the private hospital does not mention that the injured was referred from DMCH. There is case and counter case between the parties. The



petitioner is in custody since 6.5.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and on perusal of the FIR it transpires that there is a direct allegation against the petitioner of having given an axe blow on Md. Akbar which is supported from the contents of the injury report wherein fracture of scalp has been found and the same has been opined to be grievous in nature.

In the facts of the case the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Bibhash

U			
---	--	--	--

