

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50337 of 2021

Arising Out of PS. Case No.-665 Year-2020 Thana- ARARIA District- Araria

MD TABREZ @ TABREZ @ MD SHAMS TABREZ Son of Qayamuddin @
Md. Qayamuddin Resident of Village - Chand Bagh, P.S.- Araria (Madanpur
O.P.), Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amir Alam, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Ms. Anita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 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, 323, 324, 504 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner is said to have assaulted the informant with the *davia* on the head.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the FIR. Referring to the injury report of the informant which has been brought on record as Annexure-4, it is submitted that the nature of injury has been found to be simple in nature and it has come in the case diary that no report of the CT scan has been



produced by the informant. The petitioner is in custody since 11.7.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation, the injury report of the informant and the petitioner having remained in custody for 8 months, the petitioner is directed to be enlarged on bail in connection with Araria (Madanpur O.P.) P.S. Case no. 665 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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