

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52913 of 2021

Arising Out of PS. Case No.-71 Year-2021 Thana- PAKARIBARAW District- Nawada

MD. PARVEJ @ CHHOTU S/O Late Kamaluddin Resident of Village -
Jamharia, P.S. - Dhamaul, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate ,

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 25-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 308, 323, 324, 325, 504 and 34 of the Indian Penal Code and section 37(c) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, it is stated that as a result of dispute between the parties, both the sides resorted to assault. The petitioner is said to have assaulted Shahab Jamal on the head with an iron rod as a result of which he sustained serious injuries in his hand.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. Even accepting the



allegations in the FIR to be true for the sake of argument, the injuries attributed to this petitioner are on the hand of Shahab Jamal. The petitioner is in custody since 17.7.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the doctor has opined the injuries sustained by Shahab Jamal to be grievous in nature.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the injuries sustained by Shahab Jamal being on hand and the petitioner having remained in custody for 8 months, the petitioner is directed to be enlarged on bail in connection with Pakaribarawan P.S. Case no. 71 of 2021 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 Additional Sessions Judge II – cum – Special Judge, Excise, Nawada.

(Partha Sarthy, J)

Spd/-

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