

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67306 of 2021

Arising Out of PS. Case No.-202 Year-2021 Thana- SIWAN CITY District- Siwan

MITHUN CHAUHAN Son of Late Chhothu Chauhan R/O Village -
Nawalpur, P.S.- Siwan Town, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Ashok Kumar Singh, APP
For the Informant :	Jitendra Kumar Srivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-04-2022 Heard learned counsel for the parties.

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

As per the prosecution case, the petitioner is said to have stabbed the informant in his stomach causing grievous injuries.

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. There is no repetition of blow. There were injuries on both sides. The petitioner is in custody since 20.9.2021 and investigation in the case has concluded.



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, it transpires that the petitioner is said to have stabbed the informant in his stomach. The allegations are corroborated by the injury report wherein the doctor found grievous injury caused by sharp cutting weapon. There is incised wound on the right side of the upper abdomen and intestine was coming out from the wound.

Taking into consideration the nature of injury directly attributable to the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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