

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70894 of 2021

Arising Out of PS. Case No.-128 Year-2020 Thana- BANMANKHI District- Purnia

Md. Rais, Son of Navin Jan @ Navi Jan, R/o Village-Belachand, Ward No.-06, P.S.- Banmankhi, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Dr. Sanjay Kumar Singh, Advocate
		Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party	:	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-07-2022 This application has been listed under the heading
‘For Orders’.

Registry has pointed out several defects in the
present application.

Dr. Sanjay Kumar Singh, learned counsel for the
petitioner submitted that the defects are mainly because only e-
filing of applications are permitted by the Court. He submitted
that defects can be removed only if filing of hard copy is
permitted. He undertook that even if the applications are heard
and disposed of on merit in due course of time when the Court
would permit filing of hard copy, the defects pointed out by the
registry would be removed.

In view of the above submissions made by the
learned counsel for the petitioner, with consent of the parties,



the application has been taken up for hearing on merit.

The petitioner seeks pre-arrest bail in connection with Banmankhi P.S. Case No.128 of 2021 registered for the offences punishable under Sections 147, 148, 341, 323, 324, 325, 307 and 506 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that there is a case and counter case. The said case has been instituted by the informant in order to defend himself from Banmankhi P.S. Case No.132 of 2020 lodged by the brother of the petitioner. It is further contended that all the offences except Section 307 of the Indian Penal Code are bailable in nature.

On the other hand, learned counsel for the State submitted that there is specific allegation against the petitioner that he gave a knife blow on the navel of the son of informant, namely, Nadeem due to which he sustained grievous injury.

On perusal of the order passed by the learned Sessions Judge, Purnea whereby the prayer for bail of the petitioner has been rejected, it would appear that the injured Nadeem had sustained three injuries including stab wound in his abdomen. Initially, he was treated at Banmankhi and after primary treatment, he was referred to Sadar Hospital, Purnea from where the doctor referred him to Jawahar Lal Nehru Medical College,



Bhagalpur.

Considering the facts and circumstances of the case, I am not inclined to grant pre-arrest bail to the petitioner. The prayer for grant of pre-arrest bail is rejected.

In case, the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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