

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24339 of 2023**

Arising Out of PS. Case No.-306 Year-2022 Thana- ALAMNAGAR District- Madhepura

MD. HASIB Son of Md. Jainul @ Jenul Resident of village-Lakshminiya,  
P.S.-Alam Nagar, District-Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bam Bahadur Jha, Advocate  
For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Alam Nagar P.S. Case no. 306 of 2022 registered under sections 307, 147, 148, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated that the nineteen named accused persons including the petitioner herein came variously armed. The petitioner started to abuse and assault the informant and others and with the intention to kill he assaulted the informant on his head with an iron rod causing grievous injuries.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is case and counter case between the parties and the correct version having been given in the counter case. Further referring to the first injury report of the informant it is stated that only pain in the body has been found by



the doctor who was of the opinion that the injury is simple in nature. The petitioner is in custody since 24.11.2022 and investigation in the case concluded.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR which is of the petitioner having assaulted the informant with an iron rod on his head and the said allegation being substantiated with the injury report of the informant as also copy of his CT scan report quoted in the order of the learned trial court in which haemorrhagic contusions and fractures of bilateral squamous temporal bone has been found and the injury has been opined to be grievous in nature, 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 six months or after framing of charge, whichever is later.

**(Partha Sarthy, J)**

Spd/-

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