

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46109 of 2024**

Arising Out of PS. Case No.-293 Year-2023 Thana- IMAMGANJ District- Gaya

Abhay Pandey Son of Parsuram Pandey @ Parshuram Pandey R/O Vill.-  
Babhandih, P.S.- Imamganj, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

**ORAL ORDER**

2      24-07-2024                      Heard learned Counsel for the petitioner and learned  
  
APP for the State.

2. The petitioner apprehends his arrest in connection with Imamganj P.S. Case No. 293 of 2023 for the offence registered under sections 341, 323, 324, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code lodged on 11.11.2023 by the informant, Ramji Pandey.

3. As per the prosecution story, the informant alleged that the accused persons armed variously came and after abusing them, allegation against this petitioner is of giving knife blow on Bipin Pandey which injured from his elbow to palm and further gave another blow injuring the stomach/chest on at least 8 to 10 places. When the other people rushed to his rescue, they were also injured. Further, allegation is of outraging the modesty and taking away all the ornaments. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that the



injury report shows that though the Medical Officer opined the same to be dangerous to life, he also opined that it is otherwise simple in nature.

5. It would be appropriate to incorporate the Medical Report of the injured Bipin Pandey issued by the Medical Officer, Primary Health Centre, Imamganj, Gaya on 24.01.2024 (Annexure-P/2 Series):-

*“To,  
I.O.,  
P.S. Imamganj.  
Sir,*

*I examined Bipin Pandey, 25 years, S/o Ramji Pandey, Vill.- Babhandih, P.S.- Imamganj and found following injuries:-*

*1. A large sharp cut on left hand at about (20” X 0.5”X 0.5”) pendency & satisfying of and done.*

*2. 5 cut mark at about (8” X 0.1” X 0.5”) on chest and abdomen.*

*N.I. : May be dangerous to life, otherwise simple in nature.*

*M.I. : A cut mark on chin.*

*Sd/- illegible  
M.O., P.H.C.  
Imamganj, Gaya.  
24.01.2024.”*



6. Learned APP points out that it is surprising to see that such kind of injury report where 20 inch cut has been found on the left hand and 8 inch on chest and abdomen, the Medical Officer has opined it to be simple in nature.

7. This Court has also gone through the Medical Report and it is clearly surprising that how such kind of statement is made, the Medical Officer has incorporated that it *may be dangerous to life, otherwise simple in nature.*

8. No case of anticipatory bail is made out in the aforesaid circumstance and the same is accordingly rejected.

9. Let a copy be sent to the Civil Surgeon -cum- Chief Medical Officer, Gaya to look into the matter and issue necessary instruction to all the Medical Officers under his jurisdiction, if require to sensitize them on how to submit an Injury Report in such matters.

10. Office to do the needful.

**(Rajiv Roy, J)**

Neha/-

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