

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60253 of 2024

Arising Out of PS. Case No.-872 Year-2023 Thana- FATUA District- Patna

=====

Mohan Kumar S/o- Shankar Mochi, Resident of village- Khokhuna, P.S.-
Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Rishikesh Chanchal, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-10-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Fatuha P.S. Case no.872 of 2023 registered for the offence punishable under sections 307, 323, 341, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the five named accused persons including the petitioner herein surrounded his son and started to assault him. It is further stated that the petitioner stabbed his son with a knife just over his stomach as a result of which his son was seriously injured. The accused persons escaped. The son of the informant fell down injured on the road. He was taken to the Nalanda Medical College and Hospital for treatment.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He was not even near the place of occurrence but was working in the State of Tamil Nadu. He was not even known to the injured prior to the occurrence. There are no eye witness to the occurrence. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State who submits that not only the petitioner is named in the FIR but he is described to be the assailant having stabbed the son of the informant with a knife in his stomach and the allegations are substantiated from the contents of the injury report issued by the Nalanda Medical College and Hospital, Patna. The injuries have been found to be grievous.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR wherein the petitioner is said to have stabbed the son of the informant together with the corresponding injury having been found on the informant's son in the injury report of the Nalanda Medical College and Hospital and the nature of injury which is on a vital part of the body having been found to be grievous, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



7. The petitioner is directed to surrender in the learned
Court below within a period of four weeks.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

