

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59079 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md. Salil Haidari @ Salil Haidari Son Of Late Md. Sadir R/O Ward No. 10
Parwan Toli Sontha Post Office Sontha Police Station Kochadhaman District
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Akhileshwar Dayal

For the O.P. No. 2 : Md. Anis Akhtar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 12-03-2024

1. Heard learned Senior counsel for the petitioner and

learned A.P.P. for the State along with learned counsel for the
O.P. No. 2.

2. The petitioner apprehends his arrest in connection with Kochadhaman P.S. Case No. 174 of 2023 registered for the offences punishable under Sections 341, 504, 506, 307 and 34 of the Indian Penal Code.

3. Learned Senior counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that no reason for the occurrence is disclosed in the FIR, though the informant alleges that the accused persons including the petitioner intercepted her husband and petitioner assaulted him by a sharp edged weapon causing injury on head. It is further submitted that no doubt the injury has been opined to be grievous but then the injury which stands recorded in the injury report, from perusal of the same, it would manifest that



the injury was skin deep 1"x1/4" and 1/2" x 1/4" skin deep, thus, submits that the injury as recorded does not even remotely suggest that the same ought to have been grievous.

4. The learned counsel appearing on behalf of the O.P. No. 2 submits that there is specific allegation against this petitioner of assaulting the husband of the informant on head which is vital part of the body. It is next submitted that even the eyes of the husband of the informant was damaged on account of the said assault for which he got himself treated at B.R. *Netralay* at Kishanganj which is a branch of Shankar *Netralay*, Chennai. It is thus submitted that the assault was such that it not only caused grievous injury but even damaged the eyes of the injured.

5. Considering the submissions made by the learned counsel appearing on behalf of the O.P. No. 2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the present anticipatory bail stands rejected.

(Satyavrat Verma, J)

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