

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65976 of 2023

Arising Out of PS. Case No.-426 Year-2023 Thana- BIHAR District- Nalanda

1. MD. FAIYAZ @ MD. FAYAZ SON OF MD. NISHAR KHAN RESIDENT OF VILLAGE- BADI DARGAH, PS- BIHAR, DISTT- NALANDA
2. MD. NISHAR KHAN @ MD. NISHAR SON OF BALI MOHAMMAD RESIDENT OF VILLAGE- BADI DARGAH, PS- BIHAR, DISTT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 27-02-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bihar P.S. Case No. 426 of 2023 for the offence registered under sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code lodged on 12.05.2023 by the informant, Md. Guddu.

3. As per the prosecution story, the informant alleged that when he was coming after day long work, he was verbally abused by the accused persons and thereafter, the allegation is that they assaulted by iron rod on his head, he was injured whereafter Rs. 7,500/- and a mobile were snatched from the pocket. Accordingly, the FIR.



4. In this case, a co-ordinate bench had called for the case diary and injury report and as per the injury report of the informant who was examined in Sadar Hospital, Biharsharif, Nalanda, the following statement has been recorded by the Medical Officer:-

“Laceration of size 2cm X 1cm of left occipital region.”

5. The allegation is of assault on the head and the medical report shows laceration on the left occipital region. In that background, it would be appropriate that the petitioners seek bail, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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