

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73719 of 2024

Arising Out of PS. Case No.-312 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

1. Jakir Hussain @ Zakir Husen Son of Noor Hasan Khan Resident of Village- Malahi, PS- Kuchaikot, Distt.- Gopalganj
2. Akaram Khan @ Tunna Son of Jakir Hussain @ Zakir Husen Resident of Village- Malahi, PS- Kuchaikot, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-10-2024 Heard the parties.

2. The petitioners are in custody in connection with Kuchaikote P.S. Case No. 312 of 2024 for the offence punishable under Sections 126(2)/341, 115(2)/323, 118(1)/324, 117(2)/325, 109/307, 3(5)/34 of the BNS/IPC lodged on 18.07.2024 by the informant, Matihasan Khan.

3. As per the prosecution story, the informant alleged that when he was going to his water plant, the accused persons armed variously came and assaulted causing injury on the head. Further, his leg/hand also got fractured and this petitioner also tied towel in the neck of the informant and tried to kill him. However, as the locals gathered, they escaped. This followed the



FIR.

4. Learned counsel for the petitioners submit that due to land dispute, they have been implicated in the matter and further, in paragraph 8 it has been stated that the injury is simple in nature.

5. Learned APP objected to it and submitted that a perusal of the learned Sessions Judge order would show that all the injuries have been found to be grievous in nature.

6. Taking into account the aforesaid submissions as also the fact that the petitioner no. 2 is having criminal antecedent and further, a wrong statement has been made in the bail petition that the injuries are simple in nature, contrary to what has been observed by the learned Sessions Judge, as pointed out by learned APP, this Court is not inclined to extend any relief for the present.

7. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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