

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39029 of 2016

Arising Out of PS.Case No. -771 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sk. Nurullah Son of SK. Safi Ahamad Resident of village - Jaisinghpur
Retwa Tola, Police Station Turkauliya, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 17-09-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner namely Sk. Nurullah is in custody since
10.06.2016 in Turkauliya P.S. Case No.771 of 2015 under Section
147, 148, 149, 341, 323, 302, 324, 307, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

According to the prosecution case, this petitioner along
with other co-accused persons about 29 surrounded and assaulted
the deceased and the brother of the deceased. So far deceased is
concerned, direct allegation of assault by Farsa is on 3 co-accused
persons namely Safi Ahamad, Matiur Rahman and Sadre Alam. So
far allegation of assault against this petitioner is that this petitioner

assaulted the brother of the informant.

The learned counsel for the petitioner submitted that the post mortem report, which is Annexure 4 to this bail application, shows that there are only three injuries which are attributable to three accused persons against whom there is direct allegation. At best the petitioner can be said to be the member of the mob and he assaulted the brother of the informant. The learned counsel for the petitioner submitted that there are cases and counter cases between the parties regarding land dispute.

Considering the above facts and circumstances of the case, I direct that the petitioner named above be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of learned Chief Judicial Magistrate, Motihari(East Champaran) in connection with Turkauliya P.S. Case No.771 of 2015.

(Mungeshwar Sahoo, J)

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