

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29652 of 2016

Arising Out of PS.Case No. -757 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Surendra Sah, son of Gagandeo Sah, resident of village- Shankar Saraiya,
Tola Kasba, Police Station- Turkauliya, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 448, 380, 506, 504 of the Indian Penal Code and Section 3/4 of Witch Craft Act.

It is contended on behalf of the petitioner that though there is allegation upon him of assaulting by “Farsa” but the injury report shows cut injury over skull occipital region 4” long and merely 1/4” deep. So far other injuries are concerned, it is only to the extent of swelling and pain on upper lip and other parts. It is urged that the informant’s side and the petitioner are close agnates and there is admitted land dispute. There is no repeated blow by the petitioner. The injury is not grievous in nature as the injured

person was treated in the Sadar Hospital and was discharged after prescribing certain medicines and above all, the FIR has been lodged after delay of 10 days of the occurrence. Thus, there is a possibility that the informant might have sustained injuries somewhere else but the petitioner has falsely been implicated in the present case due to the land dispute between them. It is further stated that subsequently a compromise petition was also filed by the parties and six other accused persons have already been granted anticipatory bail.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Surendra Sah be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Turkauliya P.S. Case No.757 of 2014, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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