

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19593 of 2016

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

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Sk. Wali Ahamad @ Wali Ahamad @ Mankuli, Son of Late Sk. Asharali,
resident of Village- Jaisinghpur Retwa Tola, Police Station- Turkauliya,
District- East Champaran.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 09-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioner seeks bail in connection with Turkauliya
P.S. Case No.771 of 2015 registered under Sections 147, 148, 149,
341, 323, 302, 324, 307 and 120(B) of the Indian Penal Code
besides Section 27 of the Arms Act.

The accusation is that 29 persons, named in the F.I.R.,
including the petitioner reached on the land, which is claimed by
the informant, where in course of hot exchange of words, the co-
accused Sk. Motiur Rahman, Sk, Shafi Ahmad and Sadre Alam

caused injury through 'Farsa' at the head of the son of the informant whereas this petitioner caused injury through 'Bhala' at him. Consequently, the son of the informant died.

Learned counsel appearing on behalf of the petitioner submits that while there is allegation against the petitioner to cause injury to the deceased, son of the informant through 'Bhala', but on Post-Mortem Examination of the dead body of the deceased, no piercing injury was found on the person of the deceased rather incised wound was found on the head of the deceased which is said to be caused by the co-accused Sk. Motiur Rahman, Sk, Shafi Ahmad and Sadre Alam. Further submission is that the petitioner is in custody since 05.02.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari (East Champaran), in connection with Turkauliya Police Station Case No.771 of 2015.

(Rajendra Kumar Mishra, J)

P.S./-

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