

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23941 of 2016

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

=====

Sheikh @ Sk Safi Ahmed, son of Late Asarali resident of Village-
Jaysinghpur Tola- Retwa, P.S.- Tukrauliya District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-08-2016 A supplementary affidavit has been filed on behalf of the
petitioner, same may be kept on record.

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 341, 323, 307, 324, 302 and 120B of the
Indian Penal Code and Section 27 of the Arms Act.

Allegation is that due to land dispute a free-fight had
taken place between the parties in which the deceased was
assaulted on the back of the head by three persons including this
petitioner.

It has been submitted on behalf of the petitioner that he is
in custody since 12.2.2016. Chargesheet has been submitted
against the petitioner. No allegation of tampering of witnesses is
there against the petitioner. It is a case and counter case between
the parties. In course of free-fight both sides have been injured.
Both parties are of the same village and due to land dispute the
alleged occurrence is said to have taken place.

On behalf of the State and the informant, it is submitted
that petitioner is named in the F.I.R and all the three persons,

namely, Sk. Safi Ahmad (petitioner), Motiur Rahman and Sadre Alam, are said to have assaulted on the head of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, learned court below at Sadar Motihari is directed to take necessary steps to expedite the trial in connection with Turkauliya P. S. Case no. 771 of 2015.

(Sudhir Singh, J)

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