

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53848 of 2017

Arising Out of PS.Case No. -354 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Atiqur Rahman @ Sobrati Master @ Md. Sobrati, son of late Sheikh Aziz.

2. Tafizul Malik @ Munna, son of Sobrati Master

Both Resident of Village-Sukhidih, P.S.-Banjaria, District-East Champaran.

.... Petitioner/s

Versus

1. State of Bihar

2. Sagir Ahmad, son of Sheikh Manjhi, resident of Village-Sukhidih, P.S.-
Banjaria, District-East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Adv.

For the Opposite Party/s : None

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners. No one appears for the State.

Petitioners are seeking anticipatory bail in connection with Turkaulia (Banjaria) P.S. Case No.354 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners and the informant are neighbours and own Gotiyas, they had a fight over a construction of house and both the parties



filed case and counter case on the same day and in fact case lodged by the present petitioners is prior in time. Learned counsel further submits that there is a compromise also in order to create peace. He has relied upon Annexure-3 in this regard. He further submits that so far as petitioner no.1 is concerned, he is said to be the order-giver whereas the petitioner no.2 is said to have assaulted the informant on his head, but no injury is there.

In the facts and circumstances, in case of arrest or surrender of the petitioner no.1 within a period of four weeks from today, he is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkaulia (Banjaria) P.S. Case No.354 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner no.2 is concerned, his prayer for anticipatory bail is rejected. However, if he surrenders in the court below within a period of four weeks from today and prays for regular bail, the court below shall consider the same on the basis of the materials particularly shall examine the fact whether there is any injury or not and in case no injury is found on the head of the informant, the court below shall consider the same in view of the



compromise.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/-

U		T	
---	--	---	--

