

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57103 of 2017

Arising Out of PS.Case No. -194 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Azizullah @ Azizullah Rampuri, son of Late Abu Mohammad, R/o Village
- Rampur Kodar, P.S. – Kesariya, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kesariya P.S. Case No. 194 of 2017, registered under
Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that six persons named in the
F.I.R. including petitioner came near the informant, where he
uprooting the plant of paddy, and prevented to uproot the plant
of paddy. When the informant made protest then on the order
Ajjillahm, Shams Tavrej fired through katta, which passed
away near the head of the informant. When the informant tried



to flee away then petitioner and Shams Tavrej caught hold and Shams Tabrej gave knife blow at the neck of the informant. At that time, Nazia Urush gave iron rod blow at the head of informant. Thereafter, others started to cause assault to Safkat Ali, brother of the informant, through lathi and danda. In the meantime, Rabaya Khatoon snatched the gold chain from the neck of Safkat Ali and Homa Firdous snatched wrist watch from his hand.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner is not the assailant of informant and his brother rather the only allegation against him to caught hold the informant and Shams Tabrej gave knife blow his neck. Moreover, lacerated wound was found on the person of the informant at his neck caused by hard and blunt substance.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XI, East Champaran at Motihari, in



connection with Kesariya P.S. Case No. 194 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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