

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25453 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Shahbaj Kuraishi, Son of Md. Sharif,
2. Shahrukh Kuraishi, Son of Md. Sharif
Both Resident of Chhota Mohalla, P.S.- Mehshi, District- East
Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Adv.

For the Opposite Party/s : Mr. Anish Chandra, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 20-07-2017 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Mehshi P.S. Case No.70 of 2017,
registered for the offence punishable under Sections 323, 324,
341, 307, 379 and 504/34 of the Indian Penal Code and under
Section 27 of the Arms Act.

Some disputes took place with respect to parking of
the vehicle, whereupon the petitioner no.1 given a call to assault
the informant. Thereafter, one Noor Ali Kuraishi inflicted iron
rod blow on the head of the informant, petitioner no.2 took out
his pistol and fired, but the same was misfired, whereupon he
caused injury to the informant by the butt of his pistol.



Learned counsel for the petitioners submits that the incident has occurred on the spur of the movement. He further submits that allegation has been made again the petitioner no.1 that he was the order-giver. Allegation has been made against the petitioner no.2 that he assaulted the informant with the butt of the pistol, but the injury is simple in nature.

Looking to the nature of allegation and the facts and circumstances of the case, let the petitioners, namely, Shahbaj Kuraishi and Shahrukh Kuraishi, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari, in connection with Mehsi P.S. Case No.70 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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