

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51988 of 2017

Arising Out of PS.Case No. -353 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

Shekh Manjhi S/o Late Shekh Ajij, R/o Village- Sukhi Dih, P.S.- Banjaria,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-11-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Turkauliya (Banjaria) P.S. Case No. 353 of 2017/ G.R. No. 3719 of 2017 for the offences punishable under sections 341, 323, 324, 307, 504, 379 and 34 of the I.P.C.

Allegedly, the petitioner came with Sagir Ahmad at the door of the informant and directed to dismantle the Chhaja and when the informant protested then the petitioner gave order to kill him, whereupon, co-accused Sagir Ahmad assaulted the informant with garasi on his head causing cut injury and bleeding and the



petitioner assaulted with feet and fist and further took out Rs.1500/- from the pocket.

Submission is of false implication and that Sagir Ahmad, against whom there is allegation for assaulting by garasa, has already been allowed regular bail by the learned court below itself, there is land dispute between the parties, the manner of occurrence as alleged is not correct, the allegation of snatching of Rs.1500/- is totally false and ornamental and as such the petitioner deserves sympathetic consideration as against him no offence under section 307 of the I.P.C. is made out.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M, East Champaran, Motihari in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

Abhay/-

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(Jitendra Mohan Sharma, J)

