

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74732 of 2018

Arising Out of PS. Case No.-547 Year-2016 Thana- TURKAULIYA District- East
Champaran

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1. Manir Ahmad, Son of Sheikh Mulazim
 2. Nasir Ahmad, Son of Sheikh Mulazim
 3. Kalamuddin @ Kamaluddin, Son of Sheikh Ismail
 4. Dhora, Son of Sheikh Rajjak
 5. Afzal @ Sugga, Son of Manir Ahmad
 6. Tanveer @ Tanbir @ Tanwir Alam, Son of Dhora
 7. Raju @ Araj Son of Manir Ahmad
- All resident of Village- Mokhlipur, P.S. Banjaria, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Dr. Indihar Kumari

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Turkaulia (Banjaria) P.S. Case No. 547 of 2016 registered for
the offences punishable under Sections 341, 323, 504, 354B,
324, 380, 452 of the Indian Penal Code and Section 3 /4
Prevention of Witch (Dain) Practice Act and 27 of the Arms
Act.

Petitioners are said to have assaulted the informant as
well as her other family members, as a result whereof 4 persons



sustained injuries. Photostat copies of the injury reports have been annexed as Annexure-4 series to this petition. The aforesaid Annexure-4 series goes to show that all the injured have sustained simple injuries, said to be caused by hard and blunt substance.

The petitioner No. 1 has also lodged Turkaulia (Banjaria) P.S. Case No. 523 of 2016 against the prosecution party for the same occurrence and in the aforesaid case, petitioner No. 1 claimed that it was prosecution party, who assaulted the petitioners. Moreover, it appears from Annexure-2 as well impugned order that the alleged occurrence of counter case took place on account land dispute.

Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that above-named petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in Turkaulia (Banjaria) P.S. Case No. 547 of 2016 subject to conditions as laid down



under Section 438(2) of the Cr.P.C.
(Hemant Kumar Srivastava, J)

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