

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44437 of 2018

Arising Out of PS.Case No. -256 Year- 2018 Thana -TURKAULIYA District-
EASTCHAMPARAN (MOTIHARI)

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1. Azizur Rahman, Son of Late Sheikh Abdul Satar,
2. Masum, Son of Hafizur Rahman, Both residents of Village-Gauriya,
Police Station- Banjariya, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-07-2018 The petitioners are apprehending their arrest in connection with Turkauliya (Banjaria) P.S. Case No. 256 of 2018, registered for offences punishable under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

Allegation as per F.I.R. is that while informant with his son were fixing peg in his granary field and in the meantime petitioners and other persons with various arms came there. Allegation against petitioner no.1 is that he has assaulted by *Dabiya* on the head of the informant causing injury and petitioner no.2 is also named in the F.I.R.

Submission of learned counsel for the petitioners is that there is case and counter case between the parties and both are



brothers and in impugned order there is no mention of nature of injury.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Turkauliya (Banjaria) P.S. Case No. 256 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear



before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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