

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51377 of 2018

Arising Out of PS.Case No. -236 Year- 2018 Thana -TURKAULIYA District-
EASTCHAMPARAN (MOTIHARI)

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1. SAINUL ANSARI @ SAIMULLAH ANSARI, S/o Ash Mohammad Mian,
2. Ash Mohammad Mian,
3. Shah Mohammad Mian,
4. Lal Mohammad Mian All Sons of Late Shamsher Mian, All Residents of Vill.- Semra Khas, P.S.- Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Turkaulia P.S.Case No.236 of 2018 , registered for offences punishable under Sections 341, 323, 307, 34 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant by bamboo stick.

Submission of the learned counsel for the petitioners is that there is land dispute between the parties and no specific allegation has been attributed against them and there is only one injury on the person of the informant, which will appear from Annexure-2.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Turkauliya P.S.Case No.236 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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