

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3573 of 2018

Arising Out of PS.Case No. -410 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Madhaw Koiri @ Madhaw Singh S/o Parmeshwar Koiri
 2. Sanjay Koiri @ Sanjay Kumar Singh S/o Ramchandra Koiri @
Ramchandra Singh
 3. Akhilesh Koiri @ Akhilesh Kumar Singh @ Akhilesh Kumar S/o
Dasrath Koiri
 4. Ramchandra Koiri @ Ramchandra Singh S/o Late Yodha Kori
All R/o village Mathwa, P.S.-Turkauliya, Dist.-East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend arrest in connection with
Turkauliya P.S. Case No.410 of 2016 registered for the offences
under Sections 295(A), 323, 504, 307 and 379/34 of the Indian
Penal Code.

It is alleged that on 30.06.2016 all the petitioners and
other co-accused intercepted and assaulted the complainant and
also hurled filthy language against his religion.

It has been submitted that for the offence of assault two
cases have been lodged against the petitioners with two different
versions which are contradictory. The uncle of the present



complainant lodged Turkauliya P.S. Case No.272 of 2016 wherein he has alleged that these petitioners assaulted him at a different place and when his nephew intervened, he was also assaulted by the accused persons. He further alleged that a counter case with different person has been lodged by the petitioners vide Turkauliya P.S. Case No.273 of 2016. The injury report produced which has been annexed with this application shows that the complainant had sustained simple injury. In the counter case filed by the petitioner, he sustained fracture injury which was caused by the present informant.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioners, in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the likewise amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari (East Champaran) in connection with Turkauliya P.S. Case No.410 of 2016 corresponding to G.R. No.4511 of 2016, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Kumar, J)

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