

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19160 of 2018

Arising Out of PS. Case No.-712 Year-2017 Thana- TURKAULIYA District- East
Champaran

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1. Subhan Mian @ Subhahan Mian, S/o Nijim Mian @ Naazim Mian @ Najim Ansari.
 2. Suleman Mian S/o Najim Mian @ Naazim Mian @ Najim Ansari.
 3. Nashim Mian @ Nashim Ansari, S/o Najim Mian @ Naazim Mian @ Najim Ansari.
 4. Haroon Mian S/o Najim Mian @ Naazim Mian @ Najim Ansari.
 5. Raish Mian @ Raish Alam, S/o Najim Mian @ Naazim Mian @ Najim Ansari.
- All are R/o Village Chaulaha Chowk, P.S. Banjariya, Dist. East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Turkauliya (Banjaria) P.S. Case No. 712 of 2017, G.R. No. 17077 of 2017 registered for offences under sections 341, 323, 307, 504, 506, 379/34 of the Indian Penal Code.

In the present case, an allegation has been made that there was a dispute with regard to sewerage water. When the sewerage water was being pored in the field of the



Informant, he objected, whereupon, all the accused persons came there and started abusing and assaulting.

There is a direct allegation against the petitioner no.2 to have caused injury by Farsa. There is also a direct allegation against the petitioner no.1 of causing injury by iron rod and there is no specific allegation against the rest of the petitioners.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 3, 4 & 5, namely, Nashim Mian @ Nashim Ansari, Haroon Mian and Raish Mian @ Raish Alam, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjaria) P.S. Case No. 712 of 2017 (G.R. No. 17077 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

There being direct allegation against the petitioners nos. 1 & 2, namely, Subhan Mian @ Subhahan Mian and Suleman Mian, their prayer for anticipatory bail is rejected with a liberty to surrender before the court below and pray for bail



and the court below will consider the same without being
prejudiced by this order.

(Shivaji Pandey, J)

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