

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46449 of 2019

Arising Out of PS. Case No.-203 Year-2019 Thana- MAJHAULIA District- West Champaran

SK. SALAMAT @ SHEIKH SALAMAT @ SLAM Son of Late Sk. Fakir @
Sheikh Fakir Resident of Village- Ramnagar, Bankat, P.S.- Majhauria,
District- West 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.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 31-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Majhauria P.S. Case No.
203/2019, instituted for offences under Section(s) 147, 148, 149,
341, 323, 324, 307, 380 and 384/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is no allegation of specific overt act against this petitioner.
He is alleged to be member of unlawful assembly.

It is alleged in the written report that on the date of
occurrence informant went to his land and saw accused persons
armed with weapons were cutting soil from his land. Informant
made protest then co-accused Sheikh Noorain assaulted him
with iron rod and co-accused Safaar Mian assaulted him with
spear causing injury on his thigh. On alarm villagers came.



Thereafter co-accused Banhu Mian assaulted Imran with Dabia on his head. Co-accused Noorain gave *Farsa* blow on the head of Rahman. It is alleged that on alarm again some villagers came to save informant then rest accused persons including petitioner armed with weapons arrived. It is further alleged that co-accused Saffar gave *Farsa* blow on Firoz. Hannef assaulted with iron rod on the head of Narul and Zabulain assaulted with Dabia on the right hand of Nazir.

In this manner, there is no allegation of specific overt act against this petitioner.

Petitioner is in custody since 17.06.2019.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Majhauria P.S. Case No. 203/2019, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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