

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57845 of 2019

Arising Out of PS. Case No.-383 Year-2019 Thana- TURKAULIYA District- East
Champaran

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1. SK. SHAHADAT S/o Ibrahim R/o Village- Shankar Saraiya, Tola- Tansariya, P.S.- Turkauliya, District- East Champaran
 2. Mustak S/o Late Sk. Babujan R/o Village- Shankar Saraiya, Tola- Tansariya, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 24-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Turkauliya P.S. Case No.383 of 2019 registered under Sections 341, 323, 307, 379 and 385/34 of the Indian Penal Code.

The accusation is that in the morning of 04.06.2019, when the informant Shikh Naimuddin was engaged in filling the soil on his field, situated in village Shankar Saraiya, at that time, six persons, named in the F.I.R., including the petitioners surrounded his house and while abusing made query from the



informant of whom he is filling the soil and asked him as to why he did not purchase the soil from them and also demanded ransom Rs.15,000/- from the informant. When the informant made protest, Monu and Irfan caught hold of the informant and with an intention to kill dashed him on the ground of brick soiling, causing injury on his forehead. Thereafter, others also caused assault him through lathi and fists. At that time, Monu took Rs.1500/- from the Kurta of the informant. The informant was taken to the Private Hospital, Motihari, for treatment by the local people, from where he was referred to P.M.C.H., Patna.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that while the petitioners are named in the F.I.R. but no specific overt act is attributed to them. Moreover, the CT Scan Report of the informant shows that he was suffering from acute on chronic subdural haemorrhage in left fronto parieto temporal region with maximum thickness of 9 m.m. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, District-East Champaran at Motihari, in connection with Turkauliya P.S. Case No.383 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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