

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56504 of 2024

Arising Out of PS. Case No.-443 Year-2021 Thana- TURKAULIYA District- East
Champaran

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Samsul Dewan S/o Jalil Dewan R/O VILL - GOVINDAPUR, P.S.
TURKAULIYA, DISTT - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balgovind Sharma, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Turkauliya P.S. Case No. 443 of 2021, registered for the offences under Section 323, 324, 341, 342, 307, 384, 387, 504, 506/34, 147, 149, 327 & 447 of the Indian Penal Code.

3. As per the prosecution case, the accused persons assaulted the informant and his family members causing number of injuries to them. The name of the petitioner came up during investigation for also being involved in the occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R.



and has been falsely implicated in this case due to land dispute. True fact of the case is that earlier the informant side assaulted one Rukhsana Khatoon and Turkauliya P.S. Case No. 509/2021 was registered against the informant of the present case and four other persons. The F.I.R. of the other accused persons have already been granted anticipatory bail by a coordinate Bench and the case of the petitioner is on better footing. The petitioner is accused in two other cases and he is on bail on both cases. Similarly situated co-accused has already been granted anticipatory bail by coordinate Bench of this Court vide order dated 14.06.2022 passed in Cr. Misc. No. 61359/2021.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East



Champaran, Motihari in connection with Turkauliya P.S. Case No. 443 of 2021, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ranjeet/-

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