

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61772 of 2024

Arising Out of PS. Case No.-289 Year-2024 Thana- TURKAULIYA District- East
Champaran

1. ASLAM @ MD. ASLAM SON OF OLI ALAM @ SK. BHOLA R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
2. IBRAR @ MD. IBRAR SON OF OLI ALAM @ SK. BHOLA R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
3. NUR ALAM @ SK. NUR ALAM SON OF OLI ALAM @ SK. BHOLA R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
4. IRFAN @ MD. IRFAN SON OF SHEIKH SAHADAT R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
5. HASBULLAH @ NASBULAIN SON OF SHEIKH SAHADAT R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
6. SHEIKH AMRAIN @ AMRAIN SON OF SHEIKH SAHADAT R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
7. ARSAD @ MD. ARSAD @ ARSHAD BABU SON OF SHEIKH SAHADAT R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
8. SAHIL @ MD. SAHIL RAJA SON OF ASLAM R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
9. AKIB @ AKIB RAZA @ MD. AQUEEB RAJA SON OF MD. ASLAM R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
10. SHEIKH ABBASH SON OF LATE SHEKH MASOOD R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
11. SHEIKH IRFAN @ IRFAN ALAM @ MD. IRFAN ALAM SON OF SHEKH GYASH R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
12. ANWAR @ ANWAR ALI SON OF SHEKH SAIFULLAH R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
13. SHEIKH TUJAR SON OF LATE SHEKH WAZUL R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
14. SHEIKH SAHADAT SON OF LATE SHEKH IBRAHIM R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran



15. SHEIKH MUSTAQUE @ SK. MUSHTAQUE MUNNA SON OF LATE SK. BABUJAN R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran
16. MANU HINDUSTANI @ HINDUSTANI MONU @ ISTAK SON OF LAGE SK. BABUJAN @ MD. ISTAK R/O- Village- Shankar Saraiya Tola Bankat, Tansariya, P.S.- Turkauliya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Nafisuzzoha, Adv.
Ms. Rabia Gulnaz, Adv.
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-10-2024 1. Heard learned Senior counsel for the petitioners
- Mr. N.K. Agrawal and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 307, 109, 337, 435, 504, 506 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no.1, 2, 3 and 11 have antecedent of one case, petitioner no.4, 5, 14, 15 and 16 have antecedent of two cases and petitioner no.6, 7, 8, 9, 10, 12 and 13 are persons with clean antecedent. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that no



specific allegation of assault is alleged against the petitioners rather the allegation of assault is general and omnibus in nature. It is also submitted that it does not appear probable that if so many accused including the petitioners would have assaulted the informant in the manner as alleged the informant would have suffered simple injury and not multiple injury. It is next submitted that on account of dispute relating to graveyard, the present occurrence is alleged to have taken place. It is also asserted and submitted that the injury suffered by the informant is simple in nature.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned senior counsel that the injury suffered by the injured is simple in nature.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the



case is pending/successor court in connection with Turkauliya
P.S. Case No.289/2024, G.R. No.3277/2024, subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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