

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43177 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -BARAULI District- GOPALGANJ

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Amirul Haque, Son of Late Munshi Hussain @ Mansi Hussain, Resident of
Village: Parsha, P.S. Barauli, District: Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

The petitioner prays for anticipatory bail in a case under
Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the very
genesis of the occurrence is not correct as the digging of the land
was being carried out at the instance of the staff of the Electricity
Board for replacing the damaged electricity pole and as per the
direction of the petitioner the informant party raised uncalled for
objection to the same. It is further submitted that there is no direct
allegation against the petitioner of having committed any assault
rather he has been sought to be roped in the case as an order-giver.
It is also submitted that even the allegation of assault is from the
back portion of Farsa, which is belied by the injuries received by

the informant as all the injuries found to be incised wounds were simple in nature caused by sharp cutting instrument.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner, Amirul Haque, in the event of his arrest/surrender in the court below within a period of four weeks from today shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Barauli P.S.Case No. 55 of 2015 to the satisfaction of Sri Amit Kumar Pandey, Judicial Magistrate, 1st Class, Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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