

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31505 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- BARAULI District- Gopalganj

1. AFTAB ALAM @ AFTAB ANSARI @ AFTAB ALAM ANSARI, age- 22 years, son of Md. Nurain @ Nurain Ansari @ Md. Noorin Ansari, Resident of Station Road, Ward No. 25, P.S. and Distt.- Gopalganj.
2. Zakir Hussain, Male, aged 19 years, son of Ahmad Miyan.
3. Munni Khatoon, Female, age 53 years, W/O Ahmad Miyan
Both 2 and 3 resident of Village - Pasrama, P.S. and Distt.- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh
For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Barauli P.S. Case No. 04 of 2019, registered for the offence under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

The dispute arose on account of construction of boundary wall in the courtyard. The mother has come forward and lodge criminal case against her own daughter and grand sons. Special allegation has been made against petitioner no.1.

Learned counsel for the petitioners submits that



allegation made against petitioner no.1 is false and concocted one as at the relevant time he was in school. However, the *alibi* will be seen at the time of trial.

As no specific allegation has been made against the petitioner nos. 2 and 3, let the above-named petitioner nos. 2 and 3 be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Barauli P.S. Case no. 04 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

So far bail of petitioner no.1 is concerned, the same is rejected. However, if the petitioner no.1 surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

pawan/-

U		T	
---	--	---	--

