

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53071 of 2019

Arising Out of PS. Case No.-228 Year-2019 Thana- BHAIROGANJ District- West
Champaran

ATTIULLAH MIAN Son of Late Sukhal Mian Resident of Village- Kharhat,
Police Station- Bhairoganj, District- West Champaran.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Advocate.
For the State	:	Mr. A.M.P. Mehta, A.P.P.

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

ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bagaha (Bhairoganj) P.S. Case No.228 of 2019 registered
under Sections 341, 342, 323, 353, 332, 379 and 504 of the
Indian Penal Code.

The accusation is that in the midday of 30.04.2019,
the informant being the Headmaster of the Government Middle
School, Kharhat, was talking to Bikau Ram and Mahesh Sah,
who had come for taking the T.C. of their children at the school .
In the meantime, this petitioner came there and asked the
informant to give the T.C. of his son, then the informant asked
the petitioner to come along with his son and his two



photographs. Thereafter, this petitioner became furious and started to abuse to the informant. When the informant made protest, then this petitioner became annoyed and tore the pages of T.C. Certificate and started taking away the attendance register of Class-III of the year 2019-20 forcibly. While Mahesh Sah and Bikau Ram tried to convince the petitioner but the petitioner took away the register giving threatening.

Learned counsel for the petitioner submits that, in fact, the petitioner is the mason and he had constructed the house of the informant and Rs.1,60,560/- of the petitioner and other labourers was due against the informant and on repeated requests, the informant did not pay the aforesaid amount. Thereafter, the petitioner gave an application before the Assistant Labour Commissioner, Bettiah, West Champaran, in which the notice was sent to the informant on 30.05.2019, due to that reason, the informant has lodged the present case with false allegation against the petitioner. The petitioner has no criminal antecedent.

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



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection with Bagaha (Bhairoganj) P.S. Case No.228 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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