

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51066 of 2019**

Arising Out of PS. Case No.-105 Year-2018 Thana- BARAULI District-
Gopalganj

=====

AFSAR ALI, male, aged about 45 years, S/o Tasrif Mian R/o village-
Chhotka Badheya, P.S.- Barauli, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 504, 354/34 of the Indian Penal
Code registered in connection with Barauli P.S. Case No. 105 of
2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute and the parties are
agnates and next door neighbours. There is case and counter case
between the parties in which the petitioner had sustained
injuries (Annexure-3). A Title Suit No. 1751 of 2016 is pending
between the parties in the Court of Sub-Judge-VII, Gopalganj. The
present F.I.R. has been instituted merely to put pressure upon
the petitioner. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from
the date of communication of this order, let the above named
petitioner be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Gopalganj in connection with Barauli P.S. Case No. 105 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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