

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56931 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- BARAULI District- Gopalganj

RAMJAN MIAN @ SHEKH RAMZAN Son of Late Samsuddin Mian,
Resident of Village - Mohammadpur Pakwa Inar, P.S.- Barauli (Madhopur
O.P.), Dist.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 09-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barauli (Madhopur O.P.) P.S. Case No. 71 of 2019, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

From the First Information Report it transpires that the accused persons were protesting against the informant for having kept construction materials over the land which belonged to them. There was an altercation and scuffle between them. Allegedly, the persons named in the FIR assaulted the informant. It is alleged against co-accused Samim of having assaulted the informant with a sword.

Learned counsel appearing on behalf of the petitioner



has submitted that for the same occurrence a counter-case has been registered as Barauli (Madhopur O.P.) P.S. Case No. 72 of 2019.

Considering the background in which the occurrence is said to have taken place and the fact that there is no specific allegation against the petitioner of assault, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in Barauli (Madhopur O.P.) P.S. Case No. 71 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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