

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9597 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- THAWE District- Gopalganj

SIBU ALAM @ EHATESHAMUDDIN @ EHATSHAMUDDIN S/o Ali
Asgar @ Ali Asgar Ansari R/o Village-Narayanpur Tola Singhpur, P.S.-
Thawe, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vindhayachal Singh, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-06-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
427, 307, 354, 504, 506/34 of the Indian Penal Code.

As per prosecution case, the informant was watching
mango fruit in the meantime his agnate Azgar Ali, Sibul Alam,
Nazama Aara, Sukhiya armed with lathi, danda and iron rod
came and began to pluck the mango fruit and when he objected,
then Azgar Ali began to abuse and gave order to kill him, upon
this Sibul Alam (petitioner) assaulted him with iron rod due to
which he received injury and others also assaulted him and
when Natni Arfin Khatoon came to rescue him, then Nazama
Aala and Sukhiya Khatoon assaulted her and on hearing Hulla



villagers came and saved his life.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to village politics. He submits that there is case and counter case between the parties. He submits that actually informant assaulted the petitioner and his family and petitioner's family received serious injury for which earlier FIR has already been lodged i.e. Thawe P.S. Case No. 82 of 2019. The injury of the petitioner is grievous in nature.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Thawe Police Station Case No. 86 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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