

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18259 of 2020

Arising Out of PS. Case No.-311 Year-2019 Thana- BAJPATTI District- Sitamarhi

=====

ARSE ALAM Son of Late Md. Yunus Resident of Village- Rudauli, P.S.-
Bajpatti, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the State : Mr. Nityanand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-08-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 324, 307, 354(B), 379, 504,
506 and 34 of the Indian Penal Code.

Allegedly, the accused persons were constructing
house forcibly on the land of the informant, which was objected
by him. Thereafter, the accused persons started abusing the
informant. It is also alleged that the accused persons having
armed with Lathi, Danda, Farsa, dabiya etc came there and they



assaulted the informant on his head causing him injury. The other family members of the informant were also assaulted.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tempering alleged against the petitioner. The petitioner has been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S. Case No. 311 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

A.K.V.//-

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

