

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24936 of 2020

Arising Out of PS. Case No.-251 Year-2015 Thana- GOPALGANJ TOWN District-
Gopalganj

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EKRAMUL HAQ @ EKRAMUL HAQUE, Gender-Male, aged about 24 years, Son of Safi Ahamad, Resident of Village - Tirbirwan, Police Station - Gopalganj, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Javed Aslam, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-10-2020 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.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offences registered under Sections 147, 149, 323, 307 and 504 of the I.P.C.

The prosecution case, in short, is that on 27.06.2015



at about 7.00 P.M., there was some dispute on the point of driving the Motorcycle and due to that dispute, the petitioner and others came at the door of the informant armed with various weapons and began to abuse him and when he came out of his home, all accused persons began to assault him and accused Wasim Haider assaulted him with Farsa and all accused began to show Talwar and when his younger brother Sajid came for saving him, all accused persons surrounded him and began to assault him and in the meantime, Ekramul Haqaue (petitioner) assaulted with knife upon his brother due to which he received injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against him. After investigation, the police submitted final form against the petitioner but the learned court below has differed with the police report and took cognizance against the petitioner under Section 307 of the I.P.C.

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, the petitioner in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Gopalganj, in connection with Gopalganj Town P.S. Case No. 251/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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