

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5181 of 2021

Arising Out of PS. Case No.-274 Year-2019 Thana- UCHKAGAON District- Gopalganj

Mohammad Umar Yusuf @ Md. Umar Yusuf @ Mohd. Umar Yusuf S/O Late
Md. Yusuf Resident Of Village Salempatti, P.S. Uchakagaon, District
Gopalganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr. C. Jawahar, APP
For the Informant : Mr. Prashant Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

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.

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

The prosecution allegation, in short, is that on trivial issue,
the accused persons assaulted the informant due to which she
sustained injury.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



has falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side 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, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. -IX, Gopalganj in connection with Uchakagaon P.S. Case No. 274/19, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Sudhir Singh, J)

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