

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10136 of 2021

Arising Out of PS. Case No.-675 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. ASHIQUE ALI, Gender-Male, aged about 18 years, Son of ASLAM ALI, Resident of Village-Indarwa Bairam, P.S.-Gopalganj Town, District-Gopalganj.
 2. SHER ALAM ANSARI @ SHER ALAM, Gender-Male, aged about 55 years, Son of LATE ISRAYAL ANSARI, Resident of Village-Indarwa Bairam, P.S. - Gopalganj Town, District - Gopalganj.
 3. SHEIKH ALLAUDDIN @ ALLAUDDIN, Gender-Male, aged about 60 years, Son of LATE DHUR MIYAN, Resident of Village - Indarwa Bairam, P.S. - Gopalganj Town, District - Gopalganj.
 4. SHEIKH ISMUDDIN @ ISMUDIN, Gender-Male, aged about 54 years, Son of RAMJAN MIYAN Resident of Village-Indarwa Bairam, P.S.-Gopalganj Town, District - Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Javed Aslam, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2021 Learned counsel for the petitioners is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioners and learned

A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case

for the offence registered under Sections 341, 323, 307, 504 and

379/34 of the I.P.C.



The prosecution story, in brief, is that the informant was sitting in the shop of Mustakim Hazam at Sukulwan Bazar for hair cutting. In the meantime, Aashique Ali (petitioner no. 1) came and started abusing. On protest, he called several persons on phone for Mar-pit. While he was going to his home then other accused persons came on three Motorcycles and Sher Alam Ansari (petitioner no. 2) ordered to assault him then Aashique Ali (petitioner no. 1) gave Iron rod blow on his head, causing head injury. Thereafter, Sheikh Allauddin @ Allauddin and Sheikh Ismuddin @ Ismudin (petitioner nos. 3 and 4) also assaulted by Lathi on his head, as a result of which, he also sustained two head cut injury. Sher Alam Ansari (petitioner no. 2) snatched Samsung Mobile from the pocket and co-accused Fahim Akhtar took out Rs. 1500/- from the pocket. On hulla, witnesses and villagers came and pacified the mater.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not



come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, in connection with Gopalganj Town P.S. Case No. 675/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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