

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24235 of 2017

Arising Out of PS.Case No. -261 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

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Sarfaraj @ Sarfaraz, son of Md. Abu Salim, Resident of Village- Pathar Basti (Birniya), P.S.- Bahadurganj, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate.

For the Opposite Party/s : Ms. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-06-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Bahadurganj P.S.
Case No. 261/2016 under Sections 147, 148, 149, 341, 323, 324,
307, 337, 353, 435, 452, 379, 380, 427 of the Indian Penal Code.

The allegations, as contained in the Fardbeyan, would show that there was an attack on the doctors in the Primary Health Centre, Bahadurganj by a mob after death of Sri Govind Lal who, according to the informant, was brought dead in the hospital. The informant has named altogether 20 persons in the Fardbeyan. However, the petitioner is not named and there is no allegation against him.

The learned A.P.P. submits that the name of the petitioner has transpired in course of investigation.



Considering the fact that the informant has named as many as 20 persons but not named this petitioner in the Fardbeyan I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner, namely, Sarfaraj @ Sarfaraz, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in Bahadurganj P.S. Case No. 261/2016, subject to the conditions under Section 438(2) of the Code of Criminal Procedure. The petitioner will immediately join the investigation and shall co-operate with the I.O. He will not intimidate the witnesses and shall not go outside the jurisdiction of the concerned police station without prior information to the Investigation Officer.

(Rajeev Ranjan Prasad, J)

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