

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56869 of 2019

Arising Out of PS. Case No.-53 Year-2017 Thana- JOGBANI District- Araria

MD. SOHRAB @ SARIFA @ SARFA, aged about 40 years (M), Son of Md. Kasim, Resident of Village- Dipol, Ward No. 10, P.S.- Jogbani (Bathnaha), District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Rana, Advocate.
For the Opposite Party : Mr.Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 341, 342, 323, 324, 325, 307, 427, 504 and 379 of the IPC.

The prosecution story, in brief, is that on 23.04.2017 at about 1.30 P.M., while the informant went to see his field, he saw that wife of Md. Sohrab @ Sarfa (petitioner) was plucking maize crop and when he raised protest, then she started abusing and called her family members. On her call, Sohrab @ Sarfa (petitioner), Hasebul, Majebul and Hasib came there and started abusing and assaulting with Lathi, Fatha, fists and slaps and they started dragging the informant and brought him at their



residence and they tied the informant in a peg. Md. Sohrab @ Sarfa (petitioner) with intent to kill the informant inflicted Farsa blow on his head which caused injury below his right eye. Other accused persons also came there armed with Iron rod and Iron pipes. Co-accused Md. Najebul assaulted Md. Gaffar with Iron rod who sustained injury on his left arm and his arm bone was broken. Co-accused Md. Najam assaulted Md. Gaffar with Iron rod as a result, he sustained injury on his right palm and finger. Co-accused Md. Munna and Ahsan assaulted him with Lathi causing injury on his back, leg and knee. Co-accused persons Md. Manki, Md. Sohan, Md. Aiyub @ Bhuttu, Md. Istekhar also came there and they assaulted Md. Gaffar with fists and slaps. Md. Aiyub took away Rs. 4500/- from his pocket and Md. Istekhar took away Mobile phone of Md. Gaffar.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 25.06.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Nature of injury is said to be simple. There is case and counter case between the parties. Free fight is alleged to have been taken place between the parties. No offence under Section 307 of the IPC is made out.



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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 1st, Araria, in connection with Jogbani (Bathnaha) P.S. Case No. 53 of 2017.

U.K./-

(Sudhir Singh, J)

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