

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77690 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- PHULPARAS District- Madhubani

MD. ISRAFIL @ MOHAMMAD ISRAFIL RAIN @ MD. ISRAFIL @
ISRAFIL S/O Mohammad Majid Resident of Village - Langra Chowk
Jhanjharpur, P.S. - Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Phulparas P.S. Case No. 288 of 2019 for the offence
registered under Sections 341, 323, 324, 307, 379, 504, 506/34
of the Indian Penal Code.

The allegation is regarding the petitioner herein along
with three other miscreants having assaulted the informant with
Tengari, Dabia & rod.

The learned counsel for the petitioner has submitted
that the petitioner has been falsely implicated in the present case
on account of dirty village politics and the injury received by
the informant is simple in nature. It is further submitted that the



petitioner is having a clean antecedent.

I have heard the learned counsel for the parties and perused the materials on record and I find from a bare perusal of the FIR that there is a direct allegation against the petitioner of having assaulted the informant and as far as the injury report is concerned, the opinion regarding nature of injury no. 1 has been reserved since the patient i.e. the informant herein has been referred to Darbhanga for treatment and opinion, thus it cannot be said that the injuries are simple in nature as is apparent from a bare perusal of the injury report.

Having regard to the facts and circumstances of the case, this Court is of the opinion that the present case is not a fit case for granting the privilege of anticipatory bail to the petitioner herein, hence the petition stands dismissed.

(Mohit Kumar Shah, J)

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