

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37437 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- BALRAMPUR District- Katihar

MD. SARFARAZ @ MD. SARFARAZ ASHRAF, SON OF MD ASHRAF @
ASHRAF HUSSAIN RESIDENT OF VILLAGE- JAIJAN, P.S.
BALRAMPUR, DISTRICT- KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satish Chandra Mishra
For the Informant	:	Mr. Qumrul Hoda
For the State	:	Mr. Pramod Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-06-2021 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Balrampur PS Case No. 84/2020 registered under Section 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

The informant altogether named six persons and alleged that they all assaulted the informant with sword and other weapons causing injury in his head. They also snatched Rs. 40,000/- from his possession.

The learned counsel for the petitioner submits that all other accused persons have already been granted anticipatory bail. There is counter version being Balrampur PS case No.



83/2020. The case of petitioner is earlier in point of time but the anticipatory bail petition of the petitioner has been rejected on the ground that it was the petitioner who inflicted injury on head of the informant and the injury opined to be grievous in nature but the injury is manufactured by the informant. The petitioner made allegation against Md. Jamil, the informant of the present case, that he indiscriminately assaulted him and snatched Rs. 10,000/- from his pocket but from perusal of impugned order, it appears that the learned Additional Sessions Judge-I rejected the anticipatory bail petition of the petitioner holding that in paragraph 32 and 33 of case diary it has come that petitioner was bearing iron boxing in his hand and he assaulted the informant with iron boxing causing injury on the head. The injury is opined to be grievous in nature.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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