

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32521 of 2022

Arising Out of PS. Case No.-166 Year-2020 Thana- KHARIK District- Bhagalpur

1. MD. MUSTAFA @ MUSTAFA S/o Md. Nasruddin Resident of Village-Usmanpur Tola, Kharik Bazar, P.S.- Kharik, District- Bhagalpur.
2. Md. Rafil @ Raffil @ Md. Rabbil S/o Md. Aziz Resident of Village-usmanpur Tola, Kharik Bazar, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 448 and 504 of the Indian Penal Code.

The informant alleges that accused persons including the petitioners entered his house and started abusing his wife, further Md. Mustafa assaulted his wife by lathi causing injury on head and Mohammad Rafil tied rope around his daughter's neck and tried to strangulate her and fled when people arrived.

Learned counsel submits that the petitioners are



persons with clean antecedent and petitioner no. 1 is a senior citizen aged about 62 years and have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that no reason or motive for the occurrence has been assigned which prima facie creates doubt with regard to the veracity of the allegation as no occurrence takes place without any reason, it is also submitted that even the injuries suffered by the injured are simple in nature which amply demonstrates that petitioners never had any intention of committing a serious offence

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection



with Kharik P.S. Case No. 166 of 2020 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

U		T	
---	--	---	--

