

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7169 of 2023

Arising Out of PS. Case No.-434 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Sarfaraj Son Of Munna R/O Village- Indarwa Ebadullah, P.S.- Gopalganj
Town, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 147,

148, 149, 302, 120(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner is a person with clean antecedent and the

informant alleges that he saw Irfan, Rizwan and Imran

assaulting his minor son on allegations of theft, further

despite his plea to leave him, they tied his son to a pole and

thereafter 19 named accused persons, including the

petitioner, along with 20-25 unknown accused came and



assaulted his son brutally leading to his death.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of the allegations as alleged in the FIR it would manifest that it were Irfan, Rizwan and Imran who were assaulting his minor son on charges of theft and thereafter it has been alleged that he was tied to a pole when 19 named accused persons along with unknown persons came and started assaulting him but then the injury report does not corroborate the nature of assault as alleged in the FIR, it is further submitted that even the allegation against this petitioner is not specific rather is general and omnibus in nature.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gopalganj Town P.S. Case No. 434 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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