

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23439 of 2023

Arising Out of PS. Case No.-51 Year-2019 Thana- KHARIK District- Bhagalpur

1. MD. ZAFRAN @ MD. ZAFRAN ALAM S/O- MD RIJWAN NADAF @ RIJWAN NADAF @ MD. RIZWAN Village- Chorhar PS- Kharik Dist- Bhagalpur
2. Md. Gufran @ Md. Gufran Nadaf son of Md. Rijwan Nadan @ RIJWAN NADAF @ MD. RIZWAN Village- Chorhar PS- Kharik Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Village- Chorhar PS- Kharik Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sandeep Jha, Advocate
	:	Ms.Sweta Burnwal, Advocate
For the Opposite Party/s	:	Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kharik PS case no. 51 of 2019, registered for the offences punishable under Section 354(B) and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having arrived at the house of the informant, whereafter they had abused the daughter-in-law of the informant and had tried to drag her and on protest being made, the petitioner no. 1 had assaulted on the back of the son of the informant by iron rod while the petitioner no. 2 had



inflicted *dabia* blow on the stomach of the informant.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. The learned counsel for the petitioners has further submitted that as per the information of the petitioner, the injuries sustained by the informant and his son have been found to be simple in nature, hence benefit of doubt be granted to the petitioners for the purposes of grant of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are having a clean antecedent and it is the categorical averment of the learned counsel for the petitioners that the injuries sustained by the informant and his son have been found to be simple in nature, though I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail, however, subject to verification of the injury report by the learned trial court.

Accordingly, the abovenamed petitioners, in the event



of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Naugachia, Bhagalpur in connection with Kharik PS case no. 51 of 2019, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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