

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22102 of 2023**

Arising Out of PS. Case No.-105 Year-2023 Thana- HARSIDHI District- East Champaran

AFORJ ALAM S/O HAKEEM MIYAN Resident of Village- Mathloyar, Ward  
No.- 2, P.S.- Harsidhi District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Md. Anisur Rahman, Advocate  |
| For the State        | : | Mr. Ram Priya Sharan Singh, APP  |
| For the Informant    | : | Mr. Suraj Kumar Tiwary, Advocate |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      17-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has preferred this application for grant of regular bail in connection with Harsidhi P.S. Case no. 105 of 2023 registered under sections 307, 379, 147, 149, 341, 324 and 504 of the Indian Penal Code.

As per the prosecution case, the accused persons including the petitioner herein are said to have abused and assaulted the informant and others. The petitioner is said to have struck the son of the informant with a farsa on his head causing serious injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The



injury report (Annexure-2) of the son of the informant which has been brought on record does not support the prosecution case in so far as while injury from farsa would cause sharp cut injury, the injury found on the son of the informant is said to be caused by hard and blunt substance. Further the said injury has been found to be simple in nature. Petitioner is in custody since 7.2.2023 and charge sheet has been submitted in the case. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but there is direct allegation against him of having struck the son of the informant with a farsa on his head which is a vital part of the body and the said allegation is supported from the injury report.

Having heard learned counsel for the parties and taking into consideration the allegation in the FIR together with the contents of the injury report of the son of the informant which is Annexure-2 to the application wherein injury has been found to be simple in nature, the petitioner being in custody since 7.2.2023, charge sheet having been submitted in the case and the petitioner not having any criminal antecedent, the Court



directs the petitioner to be enlarged on bail in connection with Harsidhi P.S. Case no. 105 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, District East Champaran.

**(Partha Sarthy, J)**

Prakash/-

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