

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32479 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- POTHIA District- Kishanganj

1. SARFARAZ ALAM @ SARPHARAJ S/O LATE ABDUL BARI R/O VILLAGE- NAUKATTA, P.S- POTHIA, DISTT.- KISHANGANJ.
2. SAYED ALAM @ SAYEED HUSSAIN @ BUDHU S/O LATE ABDUL BARI R/O VILLAGE- NAUKATTA, P.S- POTHIA, DISTT.- KISHANGANJ.

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar , Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 24-07-2023
1. At the outset, learned counsel for the petitioner No. 2 seeks permission to withdraw the pre-arrest bail petition.
 2. This bail petition of petitioner No. 2 is dismissed as withdrawn.
 3. Heard learned counsel for the petitioner No. 1 and the State.
 4. Petitioner apprehends arrest in a case registered for the offence punishable under sections 341, 323, 324, 326, 308, 354, 504, 506/34 of the Indian Penal Code.



5. Allegation against this petitioner is that he abused and assaulted the informant and his family members and also tried to outrage the modesty of the wife of the informant.

6. It is submitted that specific allegation of assault is against co-accused Sayyad Alam and Jahiruddin. So far as, this petitioner is concerned he is only alleged to have abused the husband of the informant. This petitioner and informant are own brothers. There is six days delay in lodging the F.I.R for which there is no plausible explanation. Rest of the allegation against this petitioner is ornamental in nature. Petitioner claims clean antecedent.

7. Learned counsel for the State opposes the bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner No. 1, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Pothia P.S. case no 301 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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