

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41978 of 2023

Arising Out of PS. Case No.-1089 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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MD. SARFARAJ KHAN @ SARFERAZ KHAN son of Late Karim Khan
village- Sahora Ps- Atri Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jinnat Khatun wife of Md. Yusuf Khan Village- Sahora Ps- Atri Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
379, 354(B), 34 of the Indian Penal Code.

3. The informant alleges that niece of the petitioner
was married to the son of the complainant, further, petitioner has
relations with anti-social elements, next alleges that on
05.07.2022, the petitioner, in a drunken state, entered her house
and tried to force herself and dashed her on the ground, on
alarm, her husband came when he fled, it is next alleged that
later he came along with Naushad and Arwaz and petitioner
assaulted her by knife causing injury on wrist while Arbaz took



away cash of Rs. 1,500/- and Naushad caught her husband.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that son of the complainant was married to the niece of the petitioner and they were having marital discord on account of which the petitioner had gone to settle the same but he came to be implicated in the present false case, it is next submitted that the date of occurrence is 05.07.2022 and the complaint came to be filed on 12.07.2022 i.e., after a delay of nearly more than seven days, it is further submitted that complaint was filed intentionally so that the allegations, as alleged, are not investigated by the police.

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

7. 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 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) 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 Compliant (Gaya) Case No. 1089 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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