

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62116 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- CHHATAPUR District- Supaul

1. SAFIQ SAFI Son of Ajim Safi R/o vill - Hariharpur, ward no. 7, P.S. - Chhatapur, Distt. - Supaul
2. Irshad Safi Son of Ajim Safi R/o vill - Hariharpur, ward no. 7, P.S. - Chhatapur, Distt. - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379, 447, 448, 504, 506 of the Indian Penal Code.

3. The allegation against the petitioners is that petitioner no.1 assaulted the informant's husband on his head by means of *farsa* and petitioner no.2 assaulted one Ismail Safi with bricks on his head.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. The injury caused by petitioner no.2 to one Ismail Safi is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that there is serious allegation against petitioner no.1 that he assaulted the informant's husband due to which he sustained grievous injury.

6. Having regard to the facts and circumstances of the case, as the injury caused by petitioner no.2 to the injured is simple in nature, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Chhatapur P.S. Case No. 45 of 2023, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

7. However, the injury caused by petitioner no.1 to the informant's husband was found grievous in nature, I am not inclined to enlarge petitioner no.1 on bail. The prayer for bail of petitioner no.1 is hereby rejected.

(Anjani Kumar Sharan, J)

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