

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73982 of 2022

Arising Out of PS. Case No.-431 Year-2022 Thana- BARBIGHA District- Sheikhpura

Sarfaraz Khan Son Of Shahid Khan Resident Of Mohalla - Mahuatal,
Faizabad, P.S.- Barbigha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 325, 354, 307, 379, 504, 506/34 of the Indian Penal Code.

As per FIR, petitioner suddenly entered into the house of the informant and started outraging modesty. It is also alleged that the petitioner along with other accused persons assaulted the informant's mother by iron rod as a result of which she sustained injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific allegation against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that both



parties are neighbours and for some personal grudge occurrence took place. This is a case of simple quarrel. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner to assault the informant and his mother and the injury found upon the victim is grievous in nature.

Considering the nature of injury, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Barbigha (Mission O.P.) P.S. Case No. 431 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that one of co-accused has been granted regular bail by the learned court below itself.

(Anjani Kumar Sharan, J)

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