

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64630 of 2024

Arising Out of PS. Case No.-238 Year-2020 Thana- MANJHI District- Saran

Sarfaraj @ Sarfaraz Hussain @ Shekh Sarfaraz Son of Shekh Kalamuddin
R/O Vill.- Katokhar, P.S.- Manjhi, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Binod Kumar Singh Son of Late Nand Kishor Singh R/O Vill.- Katokhar,
P.S.- Manjhi, Dist.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Singh
	:	Mr. Samrendra Jha
For the Opposite Party/s	:	Mr. Narendra Kumar Singh (App)
For the Informant	:	Mr. Chandra Mohan Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-11-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Manjhi Police Station Case No. 238 of 2020,
disclosing offences under Sections 147, 148, 323, 307, 376, 511
of the Indian Penal Code and Section 3(r)(s) of the SC/ST (PoA)
Act, 1989.

3. As per the FIR, on 19.08.2020 in the morning, the
daughter of the informant was going to attend her coaching
class, the accused persons named in the FIR namely Raja Ansari
and Sahil Ansari surrounded her and misbehaved with her and
showed her dirty video. When she protested, the accused



persons molested her and upon noise being made by the informant's minor daughter, the co-accused Raja Ansari along with his friends, relatives came at the house of the informant with sword, iron rod, farsa and other weapons with an intention to kill. They attacked the informant due to which he got injury.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case along with fifty one named accused persons and forty to fifty unknown persons. There is no specific allegation against the petitioner and the co-accused person Raja Ansari who tried to outrage the modesty of the informant's daughter has been granted bail by a Co-ordinate Bench vide order dated 13.09.2024 in Cr. Appeal (SJ) No. 2669 of 2023. He further submits that other similarly situated accused persons Shekh Shahid and others have been granted anticipatory bail by Co-ordinate Bench in Cr. Appeal (SJ) No. 2635 of 2024.

5. Learned counsel for the informant opposes the prayer for bail and submits that petitioner is specifically named in the FIR.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated accused persons have been granted anticipatory bail by



Co-ordinate Bench, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI cum Exclusive Special Judge POCSO Act, Saran at Chapra, in connection with Manjhi Police Station Case No. 238 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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