

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82087 of 2023**

Arising Out of PS. Case No.-469 Year-2022 Thana- GARKHA District- Saran

Md. Rafiul @ Md. Safiul Son of Mahamad Hasmullah R/o vill - Fulwariya,  
Chakiya, Sadhpur, P.S. - Garkha, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      18-01-2024                      Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 324, 379, 34 of the Indian Penal Code and later on, Section 307/34 of I.P.C. and Section 27 of the Arms Act were added on 06.08.2022.

3. As per the FIR, on 31-05-2020 when the informant was engaged in unloading bricks from the tractor at about 10:00 AM in the morning, all the accused persons arrived there and demanded a sum of Rs. 10000/- as extortion money for construction of house at the land of the informant and when the informant objected, the accused persons stopped him from unloading the bricks and assaulted with iron rod, bat, wicket, *lathi & danda*, due to which, the informant fell down. This petitioner is alleged to have assaulted informant with iron rod, due to which, his left leg was fractured.



4. Learned counsel for the petitioner submits that the injury, which is allegedly caused by this petitioner, is simple in nature. There is case and counter case. Co-accused Md. Bajir has been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 11.08.2023 passed in Cr.Misc. No. 49424 of 2023 (Annexure P-3). Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Judicial Magistrate 1<sup>st</sup> Class, Saran at Chapra in connection with Garkha P.S. Case No. 469 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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