

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7196 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- PRATAPGANJ District- Supaul

MD. SARFARAZ S/O MD. ISRAR R/O SAURAJAN, FULKAHL,P.S-
RAGHOPUR,DIST.- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma
For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 12-05-2025 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 Pratapganj Police Station Case No. 66 of 2024, disclosing offences under Sections 341, 323, 307, 379, 384, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. As per the First Information Report, on 01.04.2024, in the afternoon, when the informant's son, namely Lalit Kumar, went to the house of co-accused Sanjay Yadav for collecting his wages for ploughing the agricultural field by tractor, co-accused Sanjay Yadav refused to pay the amount and assaulted him. When the informant, on information from the villagers, along with his younger son, Ajit Kumar, reached near



the house of Sanjay Yadav, there Sanjay Yadav and other accused persons, named in the FIR, along with 4-5 other unknown persons, mercilessly assaulted the informant's son by pistol butt, etc. When the informant tried to save his son, then the accused persons also assaulted him. Md. Raheesh Miyan, having farsa in his hand, assaulted the informant on his head due to which he sustained injury. The co-accused Nitish Kumar assaulted the younger son of the informant by iron rod due to which he sustained injury near his left eye. Subsequently, Sanjay Yadav and other accused persons opened fire indiscriminately and the bullet fired by Md. Raheesh Miyan passed from near the head of informant's son Lalit Kumar.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and he has no concern with the family members of the informant as well as the co-accused Sanjay Yadav. The name of petitioner transpired during course of investigation on the statement made by informant's son Ajit Kumar that petitioner assaulted his elder brother Lalit Kumar. Referring to injury report, learned counsel submits that the allegation of assault on Lalit Kumar is against 2-3 other accused persons but the injuries sustained by Lalit Kumar are simple in nature. Petitioner is having no criminal antecedent.



5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is not named in the FIR, he is having no criminal antecedent and the injuries sustained by Lalit Kumar are simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. 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 Chief Judicial Magistrate, Birpur, Supaul, in connection with Pratapganj Police Station Case No. 66 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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