

In the Court of District & Addl. Sessions Judge-III, Begusarai
Presiding Judge: Brajesh Kumar Singh
A.B.A No-323/2026
(Arising out of Cheria Bariyarpur P.S Case No-30/2022)

In the matter of:-

Md. Sarfaraz @ Sanfarj, s/o-Md. Rustam @ Rustam Miyan, aged about-27 Yrs
R/o-vill-Pabra, P.S-Manjhaul, District-Begusarai

.....Petitioner

Vs.

State of Bihar

.....Prosecution

Ld. Counsel for the petitioners- Md. Manzoor Alam, Ld. Adv
Ld. Counsel for the State- Sri. Ram Prakash Yadav, Ld. APP

ORDER

~~21/02/2026~~

11/03/2026

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- 1) The pre-arrest bail application under section 482 of the Bharat Nagrik Suraksha Sanhita ("BNSS") on behalf of the accused-Md. Sarfaraz has been preferred inasmuch as he has been apprehending his arrest in connection with Cheria Bariyarpur P.S. Case No-30/2022 registered for the offences under sections 376, 147, 323, 504, 493 of the IPC. Vide order dated 21/02/2026, the application for withdrawing the name of the accused-Md. Md. Rustam @ Rustam Miyan was akkowed inasmuch as he has been arrested by the police during the pendency of this ABA. Therefore, in this case, there is only one petitioner, i.e. Md. Sarfaraz @ Sanfarj, whose pre-arrest bail is under the consideration.
- 2) From the perusal of the record, it appears that the allegations of committing rape on the victim is made specifically against the accused-Imtiyaz. The name of this accused-petitioner has also been given in the complaint, impleading him as accused no-3, however, no specific allegation has been levelled against this accused per se. Even, he is not the father of the main accused-Imtiyaz. In fact, this petitioner is the father of co-accused Md. Rustam. This is also important to mention that the police after investigation has given him the clean chit to this accused. However, Sri. Amit Kumar, Ld. ACJM, Manjhaul vide order dated 25.04.2024 has taken cognizance against this accused person as well, thereafter, against this accused-petitioner, non-bailable warrant has been issued. Since the role of this petitioner is not very specific, there are only general and omnibus allegations against this petitioner. Hence, I am inclined to direct to release the petitioner-accused on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each in the event of his arrest or surrender within 28 days from today to the satisfaction of Id. Court below.

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Dictated

Addl. S. J.-III, Begusarai