

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70839 of 2018

Arising Out of PS. Case No.-146 Year-2017 Thana- PIRBAHOR District- Patna

Md. Rajan, Son of Md. Yusuf @ Md. Abbas, Resident of Bakerganj,
Moharrampur, Police Station- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506, 379 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Md. Imran submitted to the Station House Officer of Pirbahore Police Station is to the effect that the informant being an Auto Rickshaw driver was forced by the petitioner to carry liquor on the Auto rickshaw. On his refusal to load liquor, the informant was threatened by the petitioner. On 31.03.2017 at 4.30 P.M. when the informant was returning to his house, the accused persons caught hold of him. It is further alleged that on the order



of co-accused Shambhu Yadav, co-accused Md. Raju resorted to fire upon the informant but it did not hit him. Thereafter, Md. Rajan, the petitioner and co-accused Tahlid assaulted the informant and co-accused Shambhu Yadav snatched Rs.1250/- from the informant. It is further alleged that on 02.04.2017 at 3.00 P.M. the accused persons also assaulted the informant.

It is submitted by learned counsel for the petitioner that admittedly no injury has been caused to the informant. It is further submitted that for the occurrence of 31.03.2017, the FIR has been registered on 02.04.2017. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the First Information Report.

Considering the fact that the informant has not received any injury and delayed lodging of the FIR, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Patna in connection with Pirbahore P.S. Case No. 146 of 2017,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

