

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30716 of 2018

Arising Out of PS.Case No. -283 Year- 2017 Thana -WAJIRGANJ District- GAYA

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Imran Khan @ Md. Imran @ Irfan S/o Mochu Miya, R/o Mohalla- Bharaiti
Tola, Dakhin Gaon, P.S.- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 18-05-2018

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 341,
323, 325 and 307/34 of the Indian Penal Code.

The prosecution case as per the written report
of Deepak Kumar dated 01.07.2017 submitted to the Station
House Officer, Wazirganj P.S. is to the effect that on 27.06.2017
at 8.00 P.M. was sitting in the field when Md. Saddam, Md.
Tafique, Md. Najim, Md. Imran (petitioner) and Raju Mian came



and assaulted the informant with iron rod, lathi and danda on his head, thereafter the informant became unconscious.

It is submitted by learned counsel for the petitioner that there is no specific accusation of assault against the petitioner. The FIR has been lodged with inordinate delay of three days and other similarly situated accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 20201 of 2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the delayed lodging of the FIR and the fact that the accusation of assault is not specific against the petitioner 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 Additional Chief Judicial Magistrate-1st, Gaya in connection with Wazirganj P.S.



Case No. 283 of 2017, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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