

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22500 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- RAFIGANJ District- Aurangabad

Md. Irfan Son of Late Khalil Quraishi Resident of Village - Ahmadpur, P.S.-
Rafiganj, District - Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Vardhan Narayan, Advocate.

For the Opposite Party/s : Mr.Zainul Abedin, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Rafiganj P.S. Case No. 55 of 2022 registered for the offences
under Sections 147, 148, 149, 341, 323, 307, 379, 186 and 353
of the Indian Penal Code and Section 11 of Animal Cruelty Act.

As per allegation one pickup vehicle was seized by
the excise team and informant was deputed to bring the vehicle
for the parking as per instruction but during that course the
informant was forcibly alighted and assaulted at the point of
pistol by the driver of said vehicle and some other persons and



thereafter, the said driver escaped with the vehicle but after sometime the vehicle was again caught by the police and petitioner was found being seated in the said vehicle on the driving seat and three buffaloes were also found being stuffed in the said vehicle and on search two bombs like material were also found and thereafter 20 to 30 supporters of the petitioner also joined and blocked the road and started pelting bricks at the police party.

The main submissions advanced by learned counsel for the petitioner are that the petitioner is owner of the alleged vehicle and he purchased the vehicle from another person and the buffaloes found in the vehicle were validly purchased from different persons and in this regard purchase receipts have been enclosed with the petition and the persons who are stated to have sustained injuries, have sustained simple injury in the alleged act of pelting of bricks. Further submission is that as per prosecution two bombs like material are alleged to have been recovered from the alleged vehicle but both the said bombs have not been found to be highly explosive and they were simple soothly bombs.

Learned counsel appearing for the State has opposed the bail prayer.



Having considered the above submissions and also taking into account the facts that as per petitioner's council the investigation has been completed and petitioner has got clean antecedent and no highly explosive substance was found in the alleged vehicle and as per FIR in the beginning some other person was found being seated in the alleged vehicle and petitioner later on joined the vehicle, in my view a lenient approach can be taken in respect of petitioner's prayer let the petitioner 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 concerned Court in Connection with Rafiganj P.S. Case No. 55 of 2022.

(Shailendra Singh, J)

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