

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39506 of 2022

Arising Out of PS. Case No.-362 Year-2018 Thana- RIVILGANJ District- Saran

Faizan Khan @ Tipu Khan @ Md. Faizan Son of Faiyaz Khan R/o Village-
Godana, P.S.- Rivilganj, District- Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate
For the State : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-11-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Rivilganj P.S. Case No.362 of 2018, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 506, 504 and 34 of the Indian Penal Code.

The petitioner and other co-accused persons are said to have abused and assaulted the informant. It is alleged that petitioner assaulted the informant by means of sword from its opposite side on his nose causing fracture injury in his nose.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is general and



omnibus allegation against the petitioner. It is submitted that the occurrence took place on 19.11.2018 and FIR was lodged on 23.11.2018, after delay of four days without giving any explanation which creates a serious doubt on the prosecution case.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that the injury is grievous in nature.

Taking into consideration the fact that there is delay in lodging the FIR, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran in connection with Rivilganj P.S. Case No.362 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Sanjay/-

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