

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.43010 of 2023

Arising Out of PS. Case No.-275 Year-2023 Thana- SASARAM NAGAR District- Rohtas

IRSHAD KHAN @ BUDHAN S/O MD. AZAM R/O VILLAGE-SHAHJALAL PEER, PS. SASARAM (T) DIST. ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Sasaram Town P.S. Case No. 275 of 2023 dated 31.03.2023 registered for the offences punishable under Sections 147, 148, 149, 188, 153A, 341, 342, 323, 337, 338, 353, 307, 427, 435, 436, 504, 505, 506 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the allegation against 200-250 unknown persons is of assaulting many people due to communal disharmony. They also caused hindrance in discharging official duties of the police personnel.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. There is general and omnibus allegation against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rohtas at Sasaram in connection with Sasaram Town P.S. Case No. 275 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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