

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2763 of 2024

Arising Out of PS. Case No.-250 Year-2023 Thana- RAJNAGAR District- Madhubani

Md Imran @ Md Ibran, Son of Md. Akhtar, Redent of Village- Gausnagar,
P.S.-Rajnagar, District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Rajnagar P.S. Case No. 250 of 2023, registered on 20.09.2023 for the offences under Sections 341, 323, 448, 480, 354A, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner and other co-accused persons, variously armed, surrounded the house of the informant and started hurling abuse saying them to withdraw the case registered against them. The petitioner and other accused persons opened fire and took away a box containing the implements of work of garage.

4. The learned counsel for the petitioner submits



that the petitioner is innocent and has been falsely implicated in this case. The FIR was lodged after delay of 26 days for which there is no explanation. There is no specific allegation against the petitioner and the allegations are mostly general and omnibus. No offence under Section 354A of the IPC is made out. From the facts of the FIR, allegations under Section 480 of the IPC and Section 27 of the Arms Act are not believable. Learned counsel further submits that there is counter version of the incident and Rajnagar P.S. Case No. 251 of 2023 is lodged against the informant's side. The petitioner is having criminal antecedent of three cases, in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and vague nature of allegation against the petitioner and also considering the counter case of the petitioner's side, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of ₹10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, 1st Madhubani/concerned court in connection with Rajnagar P.S. Case No. 250 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) Before accepting bail bonds, learned Court below will satisfy itself about criminal antecedent of the petitioner since only three cases have been mentioned in the petition in paragraph no.3 of the petition, whereas the rejection order mentions large number of criminal cases against the petitioner.

(Arun Kumar Jha, J)

Amrendra/-

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