

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89728 of 2024

Arising Out of PS. Case No.-826 Year-2022 Thana- GANDHIMAIDAN District- Patna

Irfan @ Irfan Ashraf, S/o- Late Allauddin Ashraf @ Alauddin Ansari
Resident of Mohalla- Golghar Bank Road, P.S.- Gandhi Maidan District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-01-2025 1. Heard Mr. Shivanand Singh, learned counsel for
the petitioner and Mr. Ahmad Ali, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Gandhi Maidan P.S. Case No. 826 of 2022 dated
20.11.2022 registered for the offence(s) punishable under
Section(s) 341, 323, 353, 354, 504, 506 read with Section 34 of
the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the main allegation as to
misbehaving with the informant, who is a police officer, and
creating obstacle in the discharge of her official duty is against
the co-accused Sultan Ashraf, petitioner and other co-accused
persons have been made accused mainly on account of being the
relatives of the said co-accused Sultan Ashraf but any specific
role of the petitioner in the commission of the alleged



occurrence has not been revealed. It is further submitted that though the petitioner has remained accused in two criminal cases but both the said cases were lodged in the year 1999 and 2002 in which he has been acquitted and accordingly there is no criminal antecedent against this petitioner and the FIR itself shows that the petitioner did not play an active role in freeing the co-accused Sultan Ashraf from the clutches of the police.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions made by petitioner's counsel, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Gandhi Maidan P.S. Case No. 826 of 2022 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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