

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38494 of 2014

Arising Out of PS.Case No. -117 Year- 2014 Thana -SHERGHATI District- GAYA

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Qamar Jawed Khan, Son of Jaffruddin Khan, Resident of village Ratanpura,
P.S. Sherghati, District Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Opposite Party/s : Mr. M.Rab(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-04-2015

Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Sherghati P.S. Case No. 117 of 2014 instituted for the offence punishable under Sections 302/34 of the Indian Penal Code as well as Section 27 of the Arms Act.

The prosecution story as disclosed in the First Information Report by the son, who is the informant and son of the deceased, in short is that on 10.05.2014 at about 10 A.M., he along with his father Badruddin Khan (deceased) and his friend Sajid Khan @ Tinku Khan were going to Sherghati on auto rickshaw, behind them Jabir Khan and Mantu Khan were going on bike. When they reached near Aminabad road, Shamshad Khan, Qamar Jawed Khan (petitioner), Babar Khan,

Armanullah Khan and Pano Khan intercepted them who were all standing by the road parking their three motorcycles. They got the tempo stopped and pulled out Badruddin Khan (deceased), father of the informant and the petitioner from the tempo and Shamshad Khan hit Badruddin Khan on his chest. Thereafter the accused dragged the informant's father on the east side of the road and this petitioner fired shot on the chest of the informant's father who died immediately. The informant and his two friends are eye witnesses to the said occurrence.

In the said circumstances, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petition is dismissed in connection with Sherghati P.S. Case No. 117 of 2014, pending in the court of the learned Sub-divisional Judicial Magistrate, Sherghati.

(Nilu Agrawal, J.)

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