

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9219 of 2015

Arising Out of PS.Case No. -370 Year- 2014 Thana -CIVIL LINE District- GAYA

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1. Anwar Khan Son of Nasiruddin Khan, Resident of Village - Pindari
Karmauni, Police Station - Dobhi, District - Gaya

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma

For the Opposite Party : Mr. Smt. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 385, 427, 506/34 of the I.P.C, Sections 3, 4, 5 of the Explosive Substances Act and Section 27 of the Arms Act.

It is alleged that co-accused Sahid Khan brother of the petitioner demanded extortion from the informant. Subsequently the house of the informant was sought to be blown up through explosives. The informant saw this petitioner and Sahid Khan running away near the house of the informant while firing. Though actually no explosion took place.

It is submitted by learned counsel for the petitioner that other accused who were seen fleeing away from

the place of occurrence have been granted bail by learned Court below. The case of the petitioner has been distinguished by learned Sessions Judge on the ground that he was seen fleeing away while firing though no fire arm injury was caused to anyone. It is further submitted that petitioner has only been roped in the present case since he is the brother of main accused Sahid Khan when the informant has subsequently filed a petition before learned Court below to the effect that the informant neither recognized the petitioner nor alleged to have seen the petitioner at the place of occurrence.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Civil Lines P.S. Case No. 370 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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