

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43693 of 2016

Arising Out of PS.Case No. -71 Year- 2011 Thana -BANGAON District- SAHARSA

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Raghav Khan, Son of Janardan Khan, Resident of Village- Bangaon
(South), P.S.- Bangaon, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Sri Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-10-2016 Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bangaon P.S. Case No. 71 of 2011 registered under Sections 147,
148, 149, 323, 324, 307 and 379 of the Indian Penal Code and
Section 27 of the Arms Act.

The accusation is that, on 26.10.2011, at about 9 P.M.,
informant along with his son, Rajiv Ranjan, was returned to his
house with cash of Rs.50,000/-. In the way, nine persons named in
the F.I.R. including the petitioner surrounded the informant and his
son and Rabindra Kumar Khan asked to withdraw Saharsa Sadar P.
S. Case No. 336 of 1997. When the informant refused to withdraw
the case and made protest then Rabindra Kumar Khan and
Mirtunjay Khan order to kill him. On which, Promod Kumar gave
Farsa blow causing injury at his right hand. In the meantime, Nishi

Kant and Rajni Kant Kumar also caused injury through iron rod. When his son tried to save him then this petitioner given Farsa blow at his head. At that time, Roshan Kumar Khan shot fire at the stomach of his son and Nishi Kant also took cash of Rs.50,000/- from the pocket of informant.

Learned counsel for the petitioner submits that occurrence took place due to previous enmity, in which, co-accused, Promod Kumar also sustained injury, regarding which, Bangaon P.S. Case No. 70 of 2011 was instituted against the informant of the present case and others. Moreover, the injuries found on the persons of the informant and his son caused by the petitioner is simple in nature.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Saharsa, in connection with Bangaon P.S. Case No. 71 of 2011, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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