

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27451 of 2016

Arising out of PS.Case No. -152 Year- 2015 Thana -AMAS District- GAYA

ASLAM KHAN @ MD ASLAM KHAN, S/O Kamal Khan, resident of
Gamhariya, P.S. Gurua, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pranav Kumar Jha, Advocate.

For the Opposite Party : Mr. Sri Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Amas P.S. Case No. 152 of 2015 for the offences instituted
under Sections 147, 148, 149, 342, 337, 353, 307, 504/34 of the
IPC, 27 of the Arms Act and 3 of Bihar Crime Control Act.

The prosecution story, in brief, is that on secret
information received by the informant that the red warranty
accused Salam Khan is present in the village- Bankat, he reached
in the village but seeing the police party, Md. Salam Khan started
fleeing away and entered into the house of one Nasim Khan.
Thereafter, the police went near the house of Nasim Khan and
found his main gate of the house locked. The police force
surrounded the house of Nasim Khan but several persons
assembled there and started abusing and assaulting the police

party. The sound of firing was also heard there.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. The alleged occurrence is said to have taken place as the informant tried to misbehave with the lady who was alone in the house. This act of the informant was protested by the villagers due to which free fight is said to have taken place. Altogether 31 persons have been named in the F.I.R. One of the persons at Sl. No. 09 is a dead person but he has also been made accused in the present case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Amas P.S. Case No. 152/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)