

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28153 of 2017

Arising Out of PS.Case No. -147 Year- 2017 Thana -SIKARPUR District- WESTCHAMPARAN
(BETTIAH)

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1. Imran Khan, son of Shafi Ahmad Khan,
2. Shafi Ahmad Khan, son of Late Manif Khan, Both are residents of
Village - Pipra Chanki, Police Station- Shikarpur, District- West
Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, Advocate

For the State : Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 19-08-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 04.04.2017 in
connection with Shikarpur P.S. Case No. 147 of 2017 for the
offences alleged under Sections 326 and 307/34 of the Indian Penal
Code.

3. It is submitted that the petitioners have been falsely
implicated and in any event, the petitioner no. 2 is only said to
have given order to set afire to the victim whereas allegation
against the petitioner no. 1 is of pouring kerosene oil on the
informant as well as on his son. The injuries are simple in nature.

4. Learned APP for the State assisted by learned counsel
for the informant appearing suo motu opposes the bail petition
submitting that the injury report showing one injury corroborates
the accusation against the petitioners. A counter affidavit has been
filed according to which the petitioners are accused in other cases
as enumerated in paragraph 3 thereof which fact has been
suppressed in the bail petition.



5. The stand of the informant with regard to the criminal antecedents of the petitioners is not in dispute and the supplementary affidavit has been filed by the petitioners giving the details of the cases in which they had been made accused prior to filing of the present bail petition. It is therefore submitted that the petitioners have suppressed the details of their criminal antecedents until the same has been brought to the notice of this Court by the informant. Moreover, the injury report corroborates the accusation against the petitioners.

6. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of bail to the petitioners. The bail petition stands dismissed.

(Vikash Jain, J)

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