

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46568 of 2018

Arising Out of PS.Case No. -668 Year- 2017 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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1. Ajim Khan S/o Late Farid Khan, R/o Vill.- Makaraine, P.S.-
Dalmiyanagar, District- Rohtas at Sasaram. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Jubair Ansari

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 19-09-2018

Heard both sides.

The petitioner apprehends his arrest in Sasaram Model P.S. case No. 668 of 2017 for the offences punishable under Section 302, 120B of the Indian Penal Code and under Section 27 of the Arms Act.

The learned counsel for the petitioner submits that although the prayer of petitioner for anticipatory bail was earlier rejected vide order dated 21.02.2018 passed in Cr. Misc. No. 8535 of 2018 but from the allegations made it appears that the entire prosecution case is concocted. The petitioner is a migratory labour. It is beyond imagination that four persons were riding on a motor cycle. On account of some enmity the petitioner has been implicated in the case but no allegation of assault is made against the petitioner. It is further submitted that Sifal Beg @ Seraj Beg @



Shimla Khan and Imroz Khan have already been granted anticipatory bail by different benches of this court vide order dated 10.07.2018 passed in Cr. Misc. Nos. 32037 of 2018 and 31098 of 2018 respectively. Therefore, the matter requires rethinking and the petitioner deserves anticipatory bail but I find that non else than the informant, Javed Khan, himself alleged that while he was returning along with Khurshid Alam @ Rinku and Tarakhatun on auto rickshaw from Shivsagar block and Khurshid Alam was driving the vehicle but in the meantime Kallu Khan @ Firoz Khan, Shimla Khan, Ajim Khan, the petitioner, and Sonu Khan came on a motor cycle and stopped the auto rickshaw. Kallu Khan fired at his brother causing his death in the hospital. There appears that petitioner along with other accused persons were accompanying after having conspired among themselves and in pursuance of the aforesaid conspiracy Kallu Khan made firing causing the death of brother of informant.

I do not find any fresh ground to reconsider the prayer of petitioner for anticipatory bail. Accordingly, the same is once again rejected.

(Prabhat Kumar Jha, J)

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