

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6264 of 2018

Arising Out of PS. Case No.-257 Year-2017 Thana- BASANTPUR District- Siwan

=====

Faishal Khan, S/o Sona Khan, R/o Village- Shekhpura, P.S.- Basantpur,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 05-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Basantpur P.S. Case No. 257 of 2017 registered for the offence punishable under Section 302/120B of the Indian Penal Code and Section 25(1-b)a, 26, 27 Arms Act and Section 3/4 of the Explosive Substance Act.

Informant is the mother of deceased, who, in her fardbeyan has stated that on 28.07.2017 at about 11:00 PM she after dinner went to sleep at about 2.00 AM in night she heard a sound of firing and she and her daughter came out from her room and in the electric light saw Raja Khan and others



including petitioner coming out from the room of deceased son alongwith 4-5 unknown accused and were fleeing away when she entered the room of her deceased son she found that blood was profusely coming out and she saw Raja Khan fleeing away with a pistol. It has been further stated that the servant of the informant has also stated that her son was killed by Raja Khan and his associates.

Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated in this case. Except allegation that he was accompanying with assailant Raja Khan and there is no any other allegation made against him. It has been further submitted that during investigation the confessional statement made by Shahzad Ali, Aslam Ansari, non FIR accused and in their confessional statement they have not named petitioner having participated in the crime. It has been further submitted that petitioner has no criminal antecedent and he is in custody since 21.08.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 5th



Additional Sessions Judge, Siwan in Basantpur P.S. Case No. 257
of 2017.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

