

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62331 of 2018

Arising Out of PS. Case No.-448 Year-2017 Thana- SHASTRINAGAR District- Patna

Nishu Khan @ Sazwan S/o Tajdar Khan, R/o Mohalla- Samanpura, P.S.-
Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with S.Tr.
No. 434 of 2018, arising out of Shastrinagar P.S. Case No. 448
of 2017, registered under Sections 341, 307 and 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 08.08.2017 at about
11.30 P.M. informant, namely, Sajid Khan had gone to buy
milk from the nearby shop, when informant reached near the
shop then saw that petitioner along with 4-5 unknown persons
were present there, who asked him why he came there in night
and informant is associated with one Danish then the
informant replied that he has family relation with Danish.
Thereafter, petitioner opened firing then informant



started fleeing. In the meantime, petitioner again fired, but informant, anyhow, saved himself.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that this petitioner had fired twice at the informant, but not a single firing was hit to the informant. Further submission is that petitioner is accused in three other cases, but he is on bail in Shastrinagar P.S. Case No. 100 of 2017 registered under Section 399, 402 and 120B of the I.P.C. and Section 25(1-B), 28, 35 of the Arms Act and petitioner is in the custody in the present case since 18.02.2018.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-VIII, in connection with S.Tr. No. 434 of 2018, arising out of Shastrinagar P.S. Case No. 448 of 2017 subject to the condition that one of the bailors must be parents/close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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