

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80458 of 2018**

Arising Out of PS. Case No.-31 Year-2017 Thana- KOTHIGRAM District- Gaya

Faisal Khan, son of Masuque Khan, resident of Village - Chhabail , PS-
Kothi, Dist. Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 15-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Kothi P.S. Case No. 31 of 2017, registered for the offences punishable under Sections 341, 323, 427, 435, 387, 504, 506, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR is that some miscreants came and opened fire and set the two JCV machines of Mamrage Construction Pvt. Ltd. on fire and they disclosed that they are the men of Lallu Bhaiya on demand of levy. Petitioner is not named in the FIR and his name later on transpired and he is accused in two other cases. However, in paragraph-3 of the petitioner only one case has been mentioned and suppressed the material fact.

Submission of learned counsel for the petitioner is



that except suspicion there is absolutely nothing against the petitioner.

Heard learned APP also, who has opposed the prayer for anticipatory bail on the ground that he has suppressed the material fact and the case diary shows that petitioner is accused in two other cases.

Having heard both sides and in the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner and the provisional bail granted to him vide order dated 17.1.2019 stands withdrawn. He should surrender, otherwise learned court below shall take steps for his appearance, and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

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

