

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64514 of 2018

Arising Out of PS. Case No.-182 Year-2017 Thana- AMAS District- Gaya

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Md. Irfan Khan @ Md. Irfan son of Late Jahir Khan @ Zahir Khan, Resident
of Village- Hemjapur, Warish Nagar, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 10-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Amas P.S. Case No. 182 of
2017 registered for the offence punishable under Sections 302
and 34 of the I.P.C. 25(1b),a,26,27 of the Arms Act.

Informant is the father of the deceased who in his
written complaint addressed to the Officer-in-Charge, Amas
Police Station has stated that he received an information that his
son has been injured by unknown miscreants by firing and he
was being treated in hospital and on receiving such information
when he went to the hospital he found his son lying dead. He
has alleged that unidentified miscreants have killed his son.

It has been submitted on behalf of the petitioner that
he is not named in the FIR and his name has surfaced in this



case during investigation on the information received from spy. It has further been submitted that petitioner has confessed his involvement in killing of the deceased. It has further been submitted that all the evidences which have been recorded during the investigation are of hearsay witnesses and there is no eyewitness of the incident. Petitioner is in custody since 12.03.2018.

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/- with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya, in connection with Amas P.S. Case No. 182 of 2017, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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