

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57587 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- AMAS District- Gaya

NASRULLAH KHAN @ SADAM KHAN Son of Enamullah Khan Resident
of Village-Sihuli, P.S.-Amas, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh

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

ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Amas P.S. Case No.108 of 2019 registered under Sections
307/34 of the Indian Penal Code besides Section 27 of the Arm
Act.

The accusation is that on 15.05.2019 at about 09.25
P.M., the informant Munna Khan alias Zarat Khan along with
Anwar Khan and Dilshad Khan were sitting at his door and
were talking to each other. At that time, six persons, named in
the F.I.R., including the petitioner and two unknown variously
armed with lethal weapons came there and with an intention to
kill started to make indiscriminate firing. In that course,



Nasrullah alias Sadam (petitioner) shot fire through his rifle at the informant, which passed over by the side of his head and entered into the wall. Thereafter, when the informant along with his associates started to flee away, then Fardin Khan alias Foltan shot fire through his gun, whereas Tarique alias Mister shot fire with his pistol, which after breaking the window and door entered into the house of the informant. Thereafter, all made indiscriminate firing at the informant but he saved himself by hiding in the wall of the room of his house.

Learned counsel for the petitioner submits that, in fact, the informant of the present case is accused in Amas P.S. Case No.115 of 2018 lodged in respect of the murder of Md. Arif Khan, the uncle of the petitioner, in which the trial has already started, after commitment of the case, due to that reason, the informant has lodged the present case only to put undue pressure upon the petitioner and others. Moreover, while it is alleged that six persons, named in the F.I.R., including the petitioner and two unknown made indiscriminate firing but neither the informant nor his associates sustained firearm injury. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his



arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghaty (Gaya), in connection with Amas P.S. Case No.108 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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