

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66652 of 2019

Arising Out of PS. Case No.-99 Year-2017 Thana- BUXAR INDUSTRIAL District- Buxar

SAHIL @ SAHID KHAN Son of Sharfaraj Khan Resident of Village-
Sohanipatti, P.S.- Buxar (Town), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-12-2019 Heard both sides.

The petitioner apprehends his arrest in Buxar (Industrial Area) P.S. case No. 99/2017 registered under Section 147, 148, 149, 323, 324, 307, 379 of the IPC and u/s 27 of the Arms Act.

The informant alleged that while he and his brother were returning to their house after closing the shop of motor parts and when they reached in front of the Nepali tea shop near the embankment the petitioner and others are alleged to have stopped the informant. Rahul snatched Rs. 70,000/- from the pocket of informant. The accused persons assaulted his brother with iron rod. Babar Ali also fired but the shot did not hit the informant.

The learned counsel for the petitioner submits that



only overt act made against the petitioner is that the petitioner signaled the informant to stop his motor cycle. The petitioner happens to be brother of Babar Ali and that is why he has falsely been implicated in the case but it appears that it is a case of snatching in which firing was also made to kill the informant. All the accused persons got the informant and his brother stopped and thereafter the accused persons snatched his money and assaulted the informant and his brother.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and on such the learned court below shall consider the prayer for regular bail of the petitioner on merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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