

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45650 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- AMAS District- Gaya

1. LADLE KHAN Son of Afroz Khan Resident of Village - Sihuli, P.S.- Amas, Dist.- Gaya.
2. Ashraf Khan Son of Late Usman Khan Resident of Village - Sihuli, P.S.- Amas, Dist.- Gaya.
3. Matlub Khan Son of Rajauddin Khan @ Raja Khan Resident of Village - Sihuli, P.S.- Amas, Dist.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 13-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 323, 384, 386, 307, 353, 147, 148 and 149 of the Indian Penal Code, sections 25(1-B)a, 35 and 27 of the Arms Act and section 17 of the C.L.A. Act.

As per allegation in the F.I.R., on receiving secret information, the police party proceeded in the east direction, where 7-8 accused persons were seen in the light of the tractor. On being confronted, it is stated that they started to fire and



escaped in different directions. Thereafter, on search being conducted, live cartridges, a country made rifle, an empty cartridge etc. was recovered from the place of occurrence.

It is submitted by learned counsel for the petitioners that the F.I.R. was registered against 7-8 accused persons. There is general and omnibus allegations and the name of the petitioners transpired in the confessional statement of co-accused Sadek Khan made before police. Further no incriminating article has been recovered from the possession of the petitioners and the petitioners have no criminal antecedent.

It is submitted by learned APP appearing for the State that the name of the petitioners transpired in course of confessional statement of Sadek Khan, who has described the details about various overt act of the petitioners.

Having heard learned counsel for the parties and taking into consideration that the only material against the petitioners is the confessional statement of co-accused made before police, not leading to recovery of any incriminating article and also the petitioners have no criminal antecedent, the Court is inclined to enlarge the petitioners on bail. The petitioners, above named, in the event of their arrest or surrender in the Court below within a period of six weeks from



today in connection with Amas P.S. Case No.73 of 2018 are directed to be enlarged on bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati, Gaya, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

amit/-

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

