

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72844 of 2019

Arising Out of PS. Case No.-160 Year-2019 Thana- RAMNAGAR District- West Champaran

CHHOTE KHAN @ MINHAZ KHAN @ MINHAJ ALI Son of Late Abdul
Rahaman Khan Resident of Village - Phulkaul, P.S.- Ramnagar, District -
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Pranav Kumar

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

ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Ramnagar P.S. Case No.160 of 2019 registered under Sections
302 and 120(B)/34 of the Indian Penal Code besides Section 27
of the Arms Act.

The accusation is that on 18.07.2019, Fakhruddin
Khan, the husband of the informant Najnin Khanam, disclosed
the informant that due to land dispute, Raju Khan and others are
hatching conspiracy with him and he is in fear that they may
commit the heinous crime with him. On the next day
(19.07.2019) at about 12.15 P.M., the husband of the informant
was accompanied by Chhotey Khan (petitioner) towards pond



from his house. After 20 minutes, rumour was spread about making firing at the husband of the informant and committing his murder. The informant also came to know that Raju Khan alias Mustaque Khan, Chhotey Khan alias Minhaz Khan (petitioner) Atikur Rahman, Obaidur Rahman, Zafir, Faiyaz, Putu Mishra, Majhil Khan, Guddu Giri and 3-4 unknown under conspiracy made indiscriminate firing at her husband at the pond in which her husband sustained firearm injury and died on the spot.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence. On mere suspicion, she has disclosed the name of the petitioner and others. Further submission is that the witnesses in paragraphs-33, 34 and 35 of the case diary have stated that two unknown persons wearing helmet on their head came on motorcycle and shot fire at the husband of the informant. The petitioner having no criminal antecedent is in custody since 22.07.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on 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-III,
Bagaha, West Champaran, in connection with Ramnagar P.S.
Case No.160 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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

