

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38253 of 2020

Arising Out of PS. Case No.-521 Year-2018 Thana- KAHALGAON District- Bhagalpur

AURANGZEB KHAN @ MD AURANGZEB KHAN Son of Zabbar Khan
Resident of Village - Chhoti Karikado, P.S. - Shivnarayanpur, District –
Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kahalgaon (Shivnarayanpur) P.S. Case no. 521 of 2018 registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated that the accused persons had threatened the father of the informant that he should hand over the land purchased by him as they had purchased the said land or else the consequences would be bad for him. It is stated that the informant's father was murdered as a result of the said threats.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that only a



suspicion has been raised against the petitioner and others. There is no direct evidence against him. The petitioner is in custody since 2.6.2020 and investigation in the case is complete with submission of charge sheet. The petitioner has no criminal antecedent and his case stands on a similar footing to that of co-accused Shekh Firoz @ Md. Firoj who has been enlarged on bail vide order which is Annexure 2 to the bail petition.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 2.6.2020 and grant of bail to co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kahalgaon (Shivnarayanpur) P.S. Case no. 521 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

(Partha Sarthy, J)

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