

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35915 of 2021

Arising Out of PS. Case No.-43 Year-2021 Thana- CIVIL LINE District- Gaya

NASRUDDIN KHAN @ MD. NASIR UDDIN KHAN, (Male), aged about 70 years, Son of Late Saddiq Khan Resident of Village - Karmauni, P.S.- Dobhi, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Gajendra Kumar Singh, Advocate
For the Informant	:	M/S. Siyaram Pandey and Sanjay Mandal, Advocates
For the State	:	A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2022 Heard learned counsels for the petitioner, informant and learned counsel for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Civil Line P.S. Case No. 43 of 2021 registered for the offence under Sections 307, 506, 120(B) of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 18.01.2021 at about 8.30 P.M., the informant was going to his home after parking of his Scorpio and when he reached near his home then



two persons came and started firing on him. The informant sustained bullet injury and fell down thereafter he ran towards the railway track and there four accused persons armed with weapon were already standing there who started firing on the informant. He was shot by three bullets on his body but he managed to flee away. He further alleged that he identified two of them as Anwar Khan and Sarvar Khan in the light of train. The informant had enmity with the family of the petitioner and the petitioner had threatened him three days prior to the alleged occurrence that he will get the informant murdered within two days through his son Shahid Khan. Ahmad Hussain and Makki Khan were also accompanying the petitioner when such threat was being advanced.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is aged 70 years. There is no allegation of assault alleged against the petitioner. Prior to institution of the present case, a case was instituted by the petitioner's side vide Annexure-3 to the present application.

On behalf of the State and the informant, it is



submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Gaya, in connection with Civil Line P.S. Case No. 43 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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