

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42368 of 2021

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

ANWAR KHAN Son of Nasruddin Khan Resident of Village - Karmauni,
P.S.- Dobhi, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Adv. Md. Fazle Karim, Adv.
For the State	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Manindra Kishore Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 506 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, two accused persons are said to have fired on the informant as a result of which the informant sustained gunshot injury in his arm and soon thereafter four accused persons are said to have once again fired of which three shots hit the informant. The informant states that out of four accused persons he identified two accused persons which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No



such occurrence as alleged took place. The manner of occurrence is other than what has been narrated in the F.I.R. The petitioner was not even present at the place of occurrence. The Investigating Officer has also not collected relevant materials from the so called hospital and the informant himself has antecedents. The petitioner is in custody since 11.3.2021 and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegations levelled in the F.I.R. together with the petitioner having been identified by the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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