

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37463 of 2022**

Arising Out of PS. Case No.-349 Year-2021 Thana- SHIVSAGAR District- Rohtas

1. PRINCE KHAN SON OF AHMAD KHAN RESIDENT OF VILLAGE- KAITHI, P.S.- SHIV SAGAR, DISTRICT- ROHTAS
2. SAHID AFRIDI @ MUKHIYA SON OF LATE SALAM KHAN RESIDENT OF VILLAGE- KAITHI, P.S.- SHIV SAGAR, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar  
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      17-11-2022                      Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 148, 149, 302, 323, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of petitioners that as per F.I.R. itself, specific accusation of causing death to husband of informant is against co-accused Izhar Khan. So far as petitioner no. 1 is concerned, he is only alleged to have abused the husband of informant and made indiscriminate firing, but no one sustained any fire-arm injury. So far as petitioner no. 2 is concerned he is only alleged to be member of the unlawful



assembly. It is further submitted that these petitioners have been dragged in the instant case because they are supports of the rival candidate of *Mukhiya* in *panchayat* election. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VI, Rohtas at Sasaram in connection with Sheosagar P.S. Case No. 349 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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