

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48977 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- AMDABAD District- Katihar

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Fulkar Khan @ Ffulkar Khan S/o- Late Magan Khan Resident of Mohalla-
Bairiya, P.S.- Amdabad, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Amdabad
P.S. Case No. 23 of 2021 instituted for the offences under
Sections 386, 387, 307, 506 and 34 of the Indian Penal Code
read with Sections 25(1-b)a, 26 and 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 31.01.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that he was intercepted by the petitioner and
Babloo Khan and they demanded Rs. 20,000/- from the
informant and on his refusal both of them fired from their pistol
but the informant managed to save himself and on hearing



gunshot, villagers came and the accused were apprehended with pistol and two live cartridges and were handed over to the police.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is further submitted that informant owes Rs. 20,000/- to Babloo Khan and as such Babloo Khan was demanding his own money from the informant. Learned counsel further submits that if two accused with pistol intercepts an innocent man, the demand of extortion would not be only Rs. 20,000/- but would be much more. It is thus submitted that since he had accompanied Babloo Khan, who had requested his money from informant, he came to be implicated with false allegation.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 31.01.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and is alleged to have been apprehended by the informant and the villagers and not by the police, let the petitioner above named 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 learned Judicial Magistrate, Katihar in connection
with Amdabad P.S. Case No. 23 of 2021.

(Satyavrat Verma, J)

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