

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36926 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- ATRI District- Gaya

1. Gulam Anwar Khan @ Ladle Khan S/O Manjar Khan @ Ladle Khan R/O Vill. Upthu, Ps. Atri, Dist. Gaya
2. Chhotey Khan S/O Manjar Khan @ Ladle Khan R/O Vill. Upthu, Ps. Atri, Dist. Gaya
3. Luckky Khan S/O Gulam Anwar Khan @ Ladle Khan R/O Vill. Upthu, Ps. Atri, Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners along with other accused persons reached and restrained the informant and his son, petitioner no.1 asked his companion accused persons to shot dead the son of the informant, in the meantime, the petitioner no. 3 fired from pistol in his hand targeting the son



of the informant which missed the target, thereafter accused petitioners fired many shots.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is land dispute between the parties. He further submits that there is allegation against petitioner no. 3 of firing upon the son of the informant, but nobody sustained injury in the present case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant oppose prayer for anticipatory bail. Learned counsel for the informant submits that it is not a fit case for grant of anticipatory bail because petitioner no. 3 has fired upon the son of the informant, but he fairly submits that except this fact no person was injured in the present case. He further submits that from the place of occurrence one empty cartridge has been recovered by the police.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court



below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Atri P.S. Case No.176 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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