

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46016 of 2023

Arising Out of PS. Case No.-108 Year-2019 Thana- AMAS District- Gaya

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1. MD. ARMAN KHAN @ BHOLAN KHAN @ ARMAN KHAN Son of Late Nayeem Khan Resident of village - Sihuli, P.S. - Amas, Distt. - Gaya
 2. Fardeen Khan @ Folten Khan @ Md. Yazidani Raja Khan Son of Riyazullah Khan Resident of village - Sihuli, P.S. - Amas, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-09-2023
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Amas Police Station Case No. 108 of 2019, dated 15.05.2019, disclosing offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.
 3. The prosecution case, as per the First Information Report, is that on 15.05.2019, while the informant was sitting at his door along with his friends, six accused persons, named in the First Information Report, including the petitioners, and two unknown persons, variously armed



with lethal weapons, arrived there and started resorting to indiscriminate firing.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to the fact that the informant is one of the accused persons in a case of murder of the brother of petitioner no. 1. Accordingly, the submission is that due to the personal grudge, the present false First Information Report has been lodged by the informant, in which nobody has sustained any injury. He further submits that co-accused, Nasrullah Khan, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 11.09.2019, passed in Criminal Misc. No. 57587 of 2019.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that nobody has sustained any type of injury in the alleged firing and co-accused, Nasrullah Khan, has been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period



of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Amas Police Station Case No. 108 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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