

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54066 of 2022

Arising Out of PS. Case No.-686 Year-2021 Thana- SHERGHATI District- Gaya

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ARMANULLAH KHAN @ ARMAN KHAN @ FOTU KHAN @ FOTO KHAN Son of Tauhid Khan @ Mullah Khan @ Mallu Resident of Village - Hamzapur, P.s.- Amas, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55007 of 2022

Arising Out of PS. Case No.-686 Year-2021 Thana- SHERGHATI District- Gaya

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ZISAN RAHMAN @ MD. ZISAN RAHMAN S/o Late Anisur Rahman Resident of Village- Goal Bagi Adda Kotwali, Police Station- Kotwali, District- Gaya, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 54066 of 2022)

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Ramchandra Sahni

(In CRIMINAL MISCELLANEOUS No. 55007 of 2022)

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-01-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.



As per allegation in the FIR, informant's father has given Rs. 8 lac as loan to the owner of Rubi Bazar, namely, Md. Irfan under whom the petitioner was engaged as Supervisor. Informant's husband was making pressure to return the said amount upon the owner of Rubi Bazar. For which, under a conspiracy, Md. Irfan and his brothers got killed her husband through unknown criminals.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Petitioners are not named in the FIR. They have committed no offence. Only on the basis of confessional statement of other co-accused, their names have been dragged in the present case. Except suspicion and confessional statement, no inconsistent evidence has come against the petitioners to implicate them in the present case. Both the petitioners are languishing in judicial custody for more than one year.

The application for bail is vehemently opposed by learned APP for the State

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Sherghati, Gaya in connection with Sherghati P.S. Case No. 686 of 2021.

(Sunil Kumar Panwar, J)

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