

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59013 of 2023**

Arising Out of PS. Case No.-221 Year-2022 Thana- SISWAN District- Siwan

1. IMTEYAZ KHAN son of Late Najruddin Khan Village- Gayaspur Ps- Siswan Dist- Siwan
2. Kallu Khan @ Amir Hussain Khan son of Tara Khan @ Tara Husain Khain Village- Gayaspur Ps- Siswan Dist- Siwan

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar Pandey  
For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      12-09-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 302, 307, 120B/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

3. As per prosecution, the allegation against the accused persons including the petitioners is that they fired upon



the police officials due to which one police personnel sustained gun shot injury and died.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners are not named in the FIR. The name of the petitioner has come into light on the basis of disclosure by local *Chaukidar*. There is no specific overt against these petitioners rather there is general and omnibus allegation against them. He submitted that the specific allegation of shot firing is against co-accused Md. Aftab Alam @ Md. Aftab Miyan. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 20.07.2023 passed in Cr. Misc. No. 12507 of 2023. They are languishing in judicial custody since 23.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with  
Siswan P.S. Case No. 221 of 2022.

**(Sunil Kumar Panwar, J)**

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