

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72040 of 2022**

Arising Out of PS. Case No.-89 Year-2013 Thana- KUTUMBA District- Aurangabad

ANUL KHAN @ ANUL MIYAN S/o Late Bashruddin Khan R/v- Gamhariya  
Tole, Suryapura, P.O and P.S.- Tandwa, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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

2      02-03-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of the C.L.A. Act.

As per prosecution case, the informant alleged that the his brother along with brother-in-law of Vivek Kumar Singh went to Aurangabad, but did not return. Subsequently, it was found that they were being killed, leading to registration of FIR against unknown.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case merely on suspicion. There is no specific



allegation against the petitioner nor any eye witness of the alleged occurrence. The name of the petitioner came into light only on the basis of confession made by co-accused Binda Singh, who is already getting the privilege of regular bail granted by a co-ordinate Bench of this Court vide order dated 3.2.2015 passed in Cr. Misc. No. 4502 of 2015 which has been mentioned in Annexure-2. It is further submitted that the petitioner is languishing in judicial custody since 12.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got nine criminal antecedents.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kutumba P.S. Case No. 89 of 2013 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge X, Aurangabad.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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