

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69912 of 2022

Arising Out of PS. Case No.-207 Year-2022 Thana- CHAINPUR District- Kaimur (Bhabua)

1. RIJWAN KHAN Son of Faijul Ansari Resident of village - Bari Takiya, P.S.- Chainpur, District - Kaimur at Bhabua.
2. Salman Khan @ Md. Salman Khan Son of Md. Jainul Ansari @ Md. Jainul Khan Resident of village - Bari Takiya, P.S.- Chainpur, District - Kaimur at Bhabua.
3. Irfan Khan @ Md. Irfan Khan Son of Hasnain Khan @ Saheb Khan Resident of village - Bari Takiya, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Pandey,Advocate
For the Opposite Party/s	:	Mr.Amitesh Kumar,APP
For the Informant	:	Mr. Anupam Bahadur, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-01-2023 Heard Mr. Rajni Kant Pandey, learned counsel for the petitioners, Mr. Anupam Bahadur, learned counsel for the informant and learned APP for the State.

The petitioners apprehend their arrest in connection with Chanipur P.S. Case No. 207 of 2022 for the offence registered under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the FIR, the allegation is that the accused persons assaulted the informant's side and further on the order of petitioner no. 1 allegation is that one, Jamil Ansari gave country-made revolver to Gufran Khan, who opened fire



causing injury on the leg of the informant.

Mr. Anupam Bahadur, learned counsel for the informant submits that though omnibus allegation is there but all of them assaulted the informant and in that background, he has opposed the prayer for anticipatory bail.

Taking into account the allegation that has mainly come in FIR against the Gufran Khan, who was provided a country-made revolver by Jamil Ansari and he opened fire causing injury to the informant, omnibus allegation is against these petitioners as also allegation of giving order is against petitioner no. 1, this Court is inclined to grant them privilege of anticipatory bail with conditions.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. -II, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 207 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show



his/her *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall visit the concerned police station every fortnight for the next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

Before parting, the Court would like to put on record its word of appreciation for Anupam Bahadur, learned counsel for the informant for proper assistance in the matter.

(Rajiv Roy, J)

Jagdish/Neha/-

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