

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71861 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- PHULWARIYA District- Gopalganj

Rehan Khan @ Golden Son Of Late Jamaluddin Khan Resident Of Village
Badki Bagahi P S Hathua District Gopaganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 395, 397 of the Indian Penal Code and Section 27 of Arms Act.

3. The prosecution case in nutshell is that 6 unknown miscreants entered into the jewelry shop of informant with pistol in their hand. It is further alleged that they assaulted the informant with the but of pistol due to which he sustained head injuries. The miscreants also fires which hit in leg of the informant's son.



4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from his possession. The name of petitioner sprang up in this case on confessional statement of co-accused Pankaj Yadav. Moreover, the petitioner is languishing in judicial custody since 31.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Phulwariya P.S. Case No. 44 of



2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XVI, Gopalganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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