

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11816 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Aman Khan @ Md. Aman Khan @ Md. Aman Raza Khan Son of Md. Mokhtar Khan @ Mokhtar Khan Resident of Village-Makdumpur, P.S.-Balidih, District-Bokaro (Jharkhand).
2. Shadab Khan Son Of Md. Mokhtar Khan @ Mokhtar Khan Resident of Village-Makdumpur, P.S.-Balidih, District-Bokaro (Jharkhand). At present petitioner no.-2, Resident of Vill-Esabato, P.S.-Balidih, District-Bokaro, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Priya Ranjan, Advocate

For the State : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Nimchak Bathani P.S. Case No. 189 of 2023 instituted for the offence under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per prosecution case, there is recovery of two rifles, 23 live cartridges, one Bindolia loaded with 22 live cartridges, country made pistol loaded with 7 live cartridges and several other incriminating articles from the house of co-



accused 'Shanobar Khan'. Petitioners and other co-accused persons were alleged to have apprehended on spot.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 18-10-2023. Petitioners are stated to be man of clean antecedent.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioners, rather the said recovery has been made from the house of co-accused, namely, Sanobar Khan. It is submitted that seizure list is not in accordance with law. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 22-02-2024, passed in Cr. Misc. No. 11032 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, clean antecedent of the petitioners and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Nimchak
Bathani P.S. Case No. 189 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

