

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22518 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- RAMGARHWA District- East
Champaran

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Rahul Khan S/o Subhan Khan R/o vill - Kalwari majhariya P.S. - Adapur Distt
- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Adarsh Ranjan
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramgarhwa P.S. Case No. 398 of 2023 dated 16.10.2023 registered for the offences punishable u/s 394, 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant along with his driver and *munshi* was returning from Muzaffarpur after collecting Rs. 26,70,000/- from the owner of Flour Mill. At about 8:20 P.M., when the informant reached the gate of Shiv Shakti Modern Flour Mill, they found that the gate of the mill was closed. When the driver of the vehicle came out



to open the gate, indiscriminate firing was started from the driver side, due to which the driver and the *munshi* sustained firearm injuries. In the meantime, the informant fled away from there. Thereafter, 2-3 unknown miscreants fled away after looting the said money from the vehicle. Further, the injured were taken to the hospital and during the course of treatment *munshi*, Dilip Kumar succumbed to the injuries.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused persons *Sushil Mukhiya*. No T.I.P. has been conducted by the prosecution. Learned counsel has submitted that there is nothing on record against the petitioner except the confessional statement. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 30.04.2024 passed in Cr. Misc. No. 29985 of 2024. The petitioner is accused in one other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 23.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Ramgarhwa P.S. Case No. 398 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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