

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33557 of 2024

Arising Out of PS. Case No.-341 Year-2023 Thana- AMAS District- Gaya

=====

Bablu Khan @ Atiurahman Khan, aged about 33 years, Male, S/O
Atikurahman Khan R/O Village- Sihuli, P.S- Amas, Distt.- Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner	:	Mr. Prithivi Raj Singh, Advocate
For the Informant	:	Mr. Kamal Deo Sharma, Advocate
		Mr. Tushar Vaibhav, Advocate
For the Opposite Party	:	Mr. Ganesh Prasad Singh, A.P.P.

=====

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

ORAL ORDER

3 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Amas
P.S. Case No. 341 of 2023 dated 27.09.2023 registered for the
offences punishable under Sections 302, 120B of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, on 27.09.2023 at about
9.30 A.M., the informant, his father and brother were cutting their
hair at Karu Hair Cutting Saloon. In the meantime, three persons
came on two motorcycles and called the father of the informant.
The informant also came out from the saloon and saw that the said
persons were giving threatening to his father and said to
compromise with Marandi Jee, Manoj Yadav and Shashi Singh. It



is further alleged that they tried to obtain signature of his father but he refused to put his signature. It is further alleged that one of them opened fire on the back of the informant's father, as a result of which, he fell down, thereafter, others also fired on the head and his father died on the spot. The informant and other persons run towards the culprits but they succeeded to flee away by one motorcycle. The informant believed that due to land dispute, Binod Kumar @ Marandi, Manoj Yadav, Praveen Kumar Yadav, Shashi Singh, Shashi Bhushan, Rashid Kalal and Pramod Kumar Mishra in conspiracy to each other committed murder of his father.

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 Gaurav Kumar. It is further submitted that the petitioner has not been arrested on the spot and there is nothing against the petitioner except the confessional statement of the co-accused. It is further submitted that till date the petitioner has not been put on T.I. Parade as to when the informant and others are said to be the eye witnesses to the alleged occurrence. The co-accused person has already been granted bail by this Court vide order dated 09.05.2024 passed in Cr. Misc. No. 33533 of 2024. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail



petition. He is in custody in this case since 07.11.2023.

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 Judicial Magistrate Ist Class, Sherghatti, Gaya in connection with Amas P.S. Case No. 341 of 2023 with further condition:-

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/aman-

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

