

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61921 of 2024

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

Arman Khan @ Armanullah Khan @ Fotu Khan Son Of Late Md. Tauhid Khan @ Late Tauqir Khan Resident Of Village - Hemjapur, P.S. - Amas, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ritwik Thakur, Advocate Mr. Vaishnavi Singh, Advocate
For the Opposite Party	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Sudhir Kr. Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-09-2024 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 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 getting their hair cut 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 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. No T.I.P has been conducted by the prosecution. The other co-accused person has already been granted bail by this court *vide* order dated 20.07.2024 passed in Cr. Misc. No. 30075/2024. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has 17 criminal



antecedents and he is acquitted in one case as stated in para 3 of the bail petition. The petitioner is in custody 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 Court concerned, Sherghatti, Gaya in connection with Amas P.S. Case No. 341 of 2023, with the 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 bond of the petitioner is liable to be cancelled

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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