

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58302 of 2024

Arising Out of PS. Case No.-181 Year-2020 Thana- MADHUBAN District- East Champaran

Yahiya Khan @ Md. Yahiya Khan S/o- Md. Ozair Alam @ Ozair Khan
Village-Ranipur Jagaulia P.S. Madhuban, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 307, 379 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, petitioner fired repeatedly on the informant causing him fire arms injuries.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Co-accused, with similar allegation, have already been allowed pre-arrest bail by this Court vide order dated 19.12.2022. passed in Cr.Mis.No. 52304/2022. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer



for bail. He submits that the petitioner is not entitled for parity as there was no allegation of firing against those accused persons who have been allowed pre-arrest bail.

6. Considering the fact that the caused fire arms injury to the informant, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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