

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63372 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- MUFFASIL District- Aurangabad

Md. Fardeen Khan @ Fardeen Khan, S/o Aslam Khan, R/o Vill - Tikri Mod,
Azad Nagar, P.S. - Aurangabad, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh, Adv. Ms. Nutan Jha, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024 1. Heard Mr. Shailesh Kumar Singh, learned counsel
for the petitioner and Mr. Binod Kumar No. 3, learned APP for
the State.

2. The petitioner apprehends his arrest in
connection with Aurangabad Muffasil P.S. Case No. 139/2024
dated 02.05.2024 registered for the offences punishable under
Sections 341, 323, 504 and 307 read with Section 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel appearing for the petitioner
submits that the petitioner is a 19 years old person, though he is
named in the FIR but any specific role of the petitioner has not
been revealed and as per the allegation, the co-accused persons,
namely, Md. Arif and Altamash alongwith the petitioner and two



unknown persons opened fire but only one firearm injury to the chest of the informant was found despite the alleged indiscriminate firing by all accused persons and the informant has attributed his chest firearm injury to the co-accused Md. Arif. Learned counsel further submits that the petitioner has fair and clean antecedent and he had no reason to be involved with the co-accused Md. Arif with whom the informant had some money transaction dispute. Learned counsel further submits that in fact, the informant has criminal background and he is accused in more than one case and the petitioner has been falsely implicated on account of having old enmity with the informant.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the facts and circumstances of this case as well as above submissions and mainly the nature of allegation appearing against the petitioner coupled with his fair and clean antecedent and his young age, this Court is inclined to accept his anticipatory bail prayer. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of the Court concerned in connection with Aurangabad Muffasil P.S. Case No. 139/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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