

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85213 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Jahandar Khan S/O Late Chhedi Khan Village- Sikandarpur PS- Chainpur District- Kaimur
2. Sardar Khan S/O Late Chhedi Khan Village- Sikandarpur PS- Chainpur District- Kaimur
3. Arsalan Khan @ Asarsallan Khan @ Aslan Khan S/O Jahandar Khan Village- Sikandarpur PS- Chainpur District- Kaimur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in Chainpur P.S. Case No. 267 of 2024 registered for the offences punishable under Sections 127(1), 115(2), 117(2), 109, 103(1), 352, 3(5) B.N.S.S. and Section 27, 25(1-B), 26, 27, 35 of the Arms Act.

3. As per the prosecution case, the allegation against the accused persons including the petitioners is that they fired upon the nephew of the informant due to which he sustained gunshot injury and died.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that only on mere suspicion petitioners have been made accused in the present case. The petitioner no. 3 has no criminal antecedent and petitioners no. 1 and 2 have three criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is specific overt act against the petitioners.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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