

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1698 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- AMAS District- Gaya

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1. Sadaqat Khan, aged about 25 years, Male, S/o Riazullah Khan
 2. Md. Yazdani Raza Khan @ Foltan @ Fardeen Khan @ Golden Khan, aged about 21 years, Male, S/o Riazullah Khan
 3. Shahin Praveen, aged about 20 years, Female, W/o Md. Yazdani Raza Khan @ Foltan @ Fardeen Khan @ Golden Khan
- All are R/o vill-Sihuli, P.S Amas, Distt. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Shivendra Prasad, learned counsel

 appearing on behalf of the petitioners and Mr. Zainul Abedin,

 learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Amas P.S. Case No. 239 of 2023 dated 05.07.2023 registered for the offence(s) punishable under Sections 341, 323, 353, 307, 216, 504, 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners along with other co-accused caused hindrance in official duty of the police personnel and also caused injury to them.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in this case. No overt act has been



complained against the petitioners. It is further submitted that name of the petitioners was disclosed during the raid by the police on the basis of statement of co-accused Munna Khan.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that no reason has been assigned in the FIR with respect to the alleged raid which was carried on in the house of the petitioner nearly at midnight in connection to apprehend the accused of Amas P.S. Case No.108 of 2019, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghaty in connection with Amas P.S. Case No. 239 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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