

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5437 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- SHERGHATI District- Gaya

Mahtab Khan, aged about 22 years, Gender-Male, Son of Aslam Khan,
Resident of Village- Angra, P.S. Dobhi, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sherghati (Dobhi) PS Case No. 227 of 2023 instituted for the offences punishable under Sections 386, 387, 427, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case as per FIR is that on 01.08.2023 while the informant and his 3-4 friends were busy in construction work, all the accused persons armed with explosive articles came and demanded Rs. 20 lakhs and fired 8-10 gunshots and also damaged the construction work by the JCB machine. It is further alleged that the accused persons also snatched cash of Rs. 2 lakhs and fled away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence and has falsely been implicated in this case. From perusal of the case diary, FIR, and bail rejection order of the learned Additional District and Sessions Judge, Sherghati, Gaya, it appears that the petitioner is not named in the FIR and petitioner's case is on better footing as against Zakir Raza @ Zakir Raza Khan @ Aamir Khan. Similarly situated co-accused person namely Zakir Raza @ Zakir Raza Khan @ Aamir Khan has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 77355 of 2023 dated 06.12.2023. Petitioner is in custody since 26.07.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Sherghati (Dobhi) PS Case No. 227 of 2023.

(Ramesh Chand Malviya, J)

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