

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39172 of 2025

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

Khalik Khan @ Mojahid Raza Khan S/o- Ajad Khan Village- Sikandarpur PS-
Chainpur District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Chainpur P.S. Case No. 267/2024 dated 20.07.2024 registered for the offence punishable u/ss 127(1), 115(2), 117(2), 109, 103(1), 352 read with Section 3(5) of the B.N.S. and Sections 27, 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons came holding weapons and started firing indiscriminately. In the meantime, the accused persons, Mohsin Khan and Khalif Khan (petitioner) fired on the informant's nephew, due to which he died. Thereafter, the co-accused, Fauj Jama Khan and Faiz Khan fired on Musa Kohar. When Mehrab



Sah tried to escape, then petitioner and the co-accused persons assaulted Mehrab Sah with butt of the pistol and iron rod, causing injury on his head and hand. Thereafter, the co-accused Sardar Khan said that work has been completed. Then, the co-accused persons Acchu Khan, Belal and Perwez Khan fired from their pistols and told that all the persons who were to be killed are dead, thereafter, they fled away

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner. The specific allegation of firing is against the petitioner and the co-accused, Mohsin Khan.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within a period of six weeks from the



date of this order and the prayer for regular bail, the learned Court below may consider his prayer for regular bail in accordance with law and on its own merit without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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