

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70122 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- AMAS District- Gaya

Shahid Khan @ Md Shahid Khan Son of Nasiruddin Khan R/O- Village-
Karmauni, P.S.- Dobhi, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

Mr. Surendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 23-01-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Amas
P.S. Case No. 153 of 2024 instituted for the offence under
Sections 307, 326 & 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per prosecution case, brother of the informant
sustained fire arm injury by the petitioner and at the instance of
one Mokhtar Khan.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 01-06-2024. Petitioner
bears ten criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no independent witness to the occurrence. It is submitted that petitioner had never talked with the Mokhtar Khan, as is apparent from the investigation report. Learned counsel next submits that brother of the informant sustained gun shot injury at the hands of the petitioner while he himself stated that there was darkness at the time of incident and he received gun shot on his back side. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner by contending that there is direct allegation of firing on the brother of the informant due to which he sustained injury, which is serious in nature. It is next submitted that one fired shell has also been recovered from the place of occurrence.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner of firing, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. However, petitioner will be at liberty to renew his



prayer for bail if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

