

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77277 of 2024

Arising Out of PS. Case No.-863 Year-2024 Thana- PHULWARISHARIF District- Patna

Md. Shaubi Khan @ Md. Saubi @ Md. Saubi khan S/O Md. Shamim
Resident of Khagaul, Road near Chand Complex, P.S- Phulwari Sharif,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hafiz Shahbaz Arif

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 147, 148, 149, 323, 336, 307, 326, 353, 268, 327 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on the alleged date and time of occurrence, there was indiscriminate firing between two groups, as a result of which, one person sustained injury and thereafter, police recovered nine empty cartridges and one pellet and also seven motorcycles, which were left by miscreants on spot. It is further alleged that co-accused persons also got released one accused person from the police custody.

4. Learned counsel for the petitioner submits that for the same occurrence, two F.I.Rs. have been instituted. In



Phulwarisharif P.S. Case No. 862 of 2024, which was lodged by police, petitioner has already been granted bail by this Court, vide order dated 18.01.2025 passed in Cr.Misc. No. 78341 of 2024 and petitioner is seeking anticipatory bail in the present F.I.R. i.e. Phulwarisharif P.S. Case No. 863 of 2024, which has been lodged by injured Md. Sahil. Some of the co-accused persons have already been granted anticipatory bail by this Court.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - XIV, Patna in connection with Phulwari Sharif P.S. Case No. 863 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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