

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88297 of 2024

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

Bhuto Khan @ Bhutto Khan @ Julfekar Khan @ Zulfekar Khan S/o- Sardar
Khan R/V- Sikandarpur PS-Chainpur District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawwej Khan

For the Opposite Party/s : Mr. Rajendra Nath Jha

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

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail 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 Section 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 co-accused persons, Mohsin Khan and Khalif Khan fired on the informant 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 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 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 specific allegation is against the co-accused persons, Mohsin Khan and Khalif Khan. The petitioner has four antecedents and he is on bail in all the aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 21.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 267/2024, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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