

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76325 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- AMAS District- Gaya

Amir Khan S/o Late Anwar Ali Khan @ Anwar Khan R/o Village- Sihulee,
P.S.- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 87665 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- AMAS District- Gaya

1. Zubair Anjum S/o Late Akbar Imam R/o Village - Shabajpur, P.s - Shakurabad, District - Jehanabad
2. Khalid Anjum S/o Late Akbar Imam R/o Village - Shabajpur, P.s - Shakurabad, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 76325 of 2025)
For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Anant Kumar I
(In CRIMINAL MISCELLANEOUS No. 87665 of 2025)
For the Petitioner/s : Mr.Dr.Kamal Deo Sharma
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 10-04-2026 **Re:-Criminal Miscellaneous No. 76325 of 2025.**

Heard the parties including the learned counsel for
the informant.

2. The petitioner seeks bail in connection with
Amas P.S. Case No. 233 of 2024 / Sessions Case No. 354 of



2025 registered for the offence under Sections 111, 109, 61(2), 3(5) of the BNS, 2023 and under Sections 25(1-b)a, 26, 35, 27 of the Arms Act.

3. As per the prosecution case, one Photo Khan, who is having 20 criminal antecedents, has been shot by the accused persons in Court campus.

4. The petitioner is in custody since 9.12.2024.

5. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner was not named in the FIR and Photo Khan has taken his name who has been examined for the first time by the police after four months of the alleged occurrence. He next submits that naming of the petitioner after four months creates doubt in the involvement of the petitioner in the crime and there is no allegation against the petitioner that he has tried tampered with the evidence or had tried to threaten the witnesses while in custody.

6. Learned counsel for the State and the Informant have opposed the application of the petitioner.

7. I have heard and considered the submission of the parties.



8. Pursuant to the direction of this Court, the SHO of Amas Police Station and the I.O. of the case have appeared personally and they have also not made any complaint against the petitioner.

9. Considering the aforesaid facts, this application is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with Amas P.S. Case No. 233 of 2024 / Sessions Trial No. 354 of 2025.

11. As a condition of this order, the petitioner after being released on bail is directed to mark his attendance at Amas Police Station on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

12. As a condition of this order, the petitioner, after being released on bail, is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.



13. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

Re:-Criminal Miscellaneous No. 87665 of 2025.

14. Heard the parties including the learned counsel for the informant.

15. The petitioners apprehend their in connection with Amas P.S. Case No. 233 of 2024 / Sessions Case No. 354 of 2025 registered for the offence under Sections 111, 109, 61(2), 3(5) of the BNS, 2023 and under Sections 25(1-b)a, 26, 35, 27 of the Arms Act.

16. As per the prosecution case, one Photo Khan, who is having 20 criminal antecedents, has been shot by the accused persons in Court campus.

17. The name of the petitioner has come in the statement of Photo Khan.

18. Considering the allegation against the petitioners that they have participated in the alleged crime, this Court is not inclined to grant anticipatory bail to the petitioners.

19. Accordingly, this application stands dismissed and



the interim protection granted to the petitioners vide order dated 06.02.2026, is hereby withdrawn.

20. The petitioners are directed to surrender within one week failing which the Senior Superintendent of Police, Gaya will take all steps for arrest of the petitioners.

21. The personal appearance of the police officials is dispensed with.

22. Let a copy of this order be communicated to the Senior Superintendent of Police, Gaya through FAX for its compliance.

(Sandeep Kumar, J)

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