

The court of C.J.M., Jamshedpur

Schedule XLII-

No.(J) 9a (Old (M) 164)

Sl. No.	Date of order of proceeding	Order with the signature of the court	Office action taken with date
1	2	3	4
	15.12.22	G.R.-1541/2022 Bistupur P.S.-167/2022 A bail petition having MCA No.8247/22 has been filed on behalf of custody accused Salman Khan @ Abdul Salman Khan @ Salman praying therein to enlarge him on bail. Copy of the bail petition has been supplied to the learned A.P.P. Arguments has been advanced. Heard both sides. Learned counsel for the accused-petitioner has submitted that petitioner is in judicial custody since 06.08.2022 and he is innocent and has not committed any offence, rather he has been falsely implicated in this case. Learned counsel has further submitted that nothing has been recovered from the possession of the petitioner and there is no ingredient of alleged section against the petitioner. It has further been submitted that there is not a single iota of evidence to connect the petitioner in the instant case and entire allegation is omnibus in nature and section 307 of IPC is not made out against the petitioner. It has further been submitted that the instant case has been lodged due to enmity and he undertakes	

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	contd. 15.12.22	to cooperate with the investigation. Moreover, he is ready to furnish good and substantial bailor to the satisfaction of the court. In view of above stated facts and circumstances, it has been prayed to release the petitioner on bail. Ld. A.P.P. has opposed the prayer of bail on the ground that offences are serious and non-bailable in nature. From perusal of the record, it appears that the case corresponds to Bistupur P.S. Case No. 167/2022 registered u/s 295A/341/307/504/506/120B/34 of IPC and u/s 27 of Arms Act on the basis of written report of informant Md. Farid Ahmad @ Iqbal. As per FIR allegations against the petitioner is that he in connivance with other co-accused, abused and assaulted the informant and also fired gun shot over him with intention to kill him and questioned the informant as to closure of his gambling business. They also threatened the informant of his life and stated that they belonged to Salman and Gama Group. It further appears that there is confessional statement of the accused-petitioner in which he stated about his involvement in the instant case and offences are serious and non-bailable in nature. Moreover, in the instant case charge-sheet has been submitted and cognizance has been taken for the	
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	contd. 15.12.22	offences punishable u/s 295A/307/341/506/120B/34 of Indian Penal Code and u/s 25(1-B/a,25(1-A)/26/35 of Arms Act against 15 accused persons including the petitioner. The accused-petitioner has been arrested and remanded to Judicial custody on 06.08.2022, since then he is under incarceration and bail of other co-accused has already been rejected by this court earlier. Moreover, offences are serious and non-bailable in nature and the case is exclusively triable by the court of sessions. Considering the above facts and circumstances of the case and nature of offences, I am not inclined to release the petitioner Salman Khan @ Abdul Salman Khan @ Salman on bail. Hence, his bail petition having MCA No.8247/2022 stands rejected. (Dictated) (Nishant Kumar) C.J.M., Jamshedpur JO Id: 0577	
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