

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2582 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- KINJAR District- Jehanabad

1. Md. Shahjad Khan Son of Md. Kauem Khan Resident of Village - Jamharu,
P.O. - Shankarpur Imamganj, P.S. - Khirimore (Imamganj), District - Patna
804426
2. Md. Aftab Khan Son of Late Shamser Khan Resident of Village - Jamharu,
P.O. - Shankarpur Imamganj, P.S. - Khirimore (Imamganj), District - Patna
804426

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 2756 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- KINJAR District- Jehanabad

Arvind Saw @ Gopal Saw S/O Late Chhathu Saw R/O Vill.-Imamganj, P.S.-
Imamganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 14432 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- KINJAR District- Jehanabad

Chandrakant Sharma Son of Late Devraj Singh Resident of Village - Rampur,
P.S. - Karpi, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 2582 of 2025)
For the Petitioner/s : Mr.Nand Kumar Sagar
For the Opposite Party/s : Mr.Pranav Kumar
(In CRIMINAL MISCELLANEOUS No. 2756 of 2025)
For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem



(In CRIMINAL MISCELLANEOUS No. 14432 of 2025)

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 28-02-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seeks bail in connection with Kinjar P.S. Case No. 125/2024 registered for the offence under Sections 103(1) and 3(5) of the Bhartiya Nyay Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged against unknown accused person alleging that they have shot the elder brother of the informant which resulted into his death.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners have falsely been implicated in the present case. He next submits that petitioners names have been surfaced during the course of investigation. He further submits that the petitioners are not named in the FIR and nothing incriminating articles has been recovered from the conscious possession of the petitioners. There is no eyewitness to the alleged occurrence who can identify that these petitioners were involved in the alleged occurrence. He further submitted that on mere suspicion upon the petitioners due to their criminal



antecedent, they have been framed in the present case due to dirty village politics. Moreover petitioners of Cr. Misc. No. 2582 of 2025 is in custody since 22.09.2024 possessing two and three criminal antecedent respectively. Petitioner of Cr. Misc. No. 2756 of 2024 is in custody since 08.10.2024 having clean antecedent and petitioner of Cr. Misc. No. 14432 of 2025 is concerned, he is in custody since 12.09.2024 having three criminal antecedent.

5. Learned APP appearing for the state opposes the prayer for bail of the petitioners.

6. From perusal of the FIR, case diary, postmortem report and the impugned dated 28.11.2024, it appears that petitioners are not named in the FIR and nothing has been recovered from the conscious possession of the petitioner. From the call records obtained by the police, it appears that none of the petitioners mobile tower location was found in the radius of the place of occurrence, so I am inclined to grant bail to the above named petitioners. Let the above named petitioners i.e. Md. Shahjad Khan, Md. Aftab Khan, Arvind Saw @ Gopal Saw and Chandrakant Sharma be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned



Chief Judicial Magistrate, Arwal in connection with Kinjar P.S.
Case No. 125/2024.

(Ramesh Chand Malviya, J)

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