

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14397 of 2025

Arising Out of PS. Case No.-110 Year-2021 Thana- FATUA District- Patna

Khannu Kumar @ Alok Raj @ Khannu S/o- Satendra Singh @ Ramsagar
Mahto Village- Salarpur Police station- Daniyawan District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Raj, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 28-02-2025 Learned counsel for the petitioner seeks

permission to correct paragraph no. 3 of the petition with

regard to P.S. Case Number in course of the day.

2. Permission is accorded.

3. Heard learned counsel for the petitioner and

learned A.P.P for the State.

4. The petitioner seeks bail in connection with

Fatuha P.S. Case No. 110 of 2021 dated 10.02.2021

registered for the offence punishable under Sections 302,

120(B)/34 of the Indian Penal Code and Section 27 of the

Arms Act.

5. The prosecution case, in short, is that the

informant alleges that while he was at his shop, he received



a call and the caller informed him that his father has been shot by three unknown motorcycle borne criminals, accordingly the informant reached the hospital where he saw his father dead.

6. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the F.I.R. has been lodged against unknown persons and the name of the petitioner transpired in the confessional statement of co-accused Dhanraj Kumar, who disclosed the name of the petitioner and other accused persons. It is submitted that during the course of investigation, it has come that the present informant was having relationship with various women which was being objected by the deceased, on account of which the present occurrence took place in a well hatched conspiracy made by the informant. It is submitted that later on the informant has been made accused in this case and has submitted charge-sheet against him. It is further submitted that Dhanraj Kumar has been granted bail *vide* order dated 14.06.2022 passed in Criminal Miscellaneous No. 6470 of 2022 by this Court. It is also submitted that



other similarly situated persons have been granted bail by different co-ordinate Benches of this Court vide Annexure-2 and 3 Series. Lastly, it has been submitted that the petitioner is in custody since 23.03.2024, having one criminal case against him and charge-sheet has been submitted in the case.

7. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Patna in connection with Fatuha P.S. Case No. 110 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood



relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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