

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21358 of 2025

Arising Out of PS. Case No.-138 Year-2022 Thana- BAHADURPUR District- Patna

Md. Shabir @ Jahid @ Tanveer @ Sabbu Son of Late Md. Munna Khan,
Resident of village - Ramna Road, P.S.- Pirbahore, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with P.T.N. 1662 of 2022, arising out of Bahadurpur P.S. Case No. 138 of 2022 dated 16.05.2022, registered for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, the brother of the informant was shot dead and the name of the petitioner transpired during investigation for being involved in the said occurrence as a contract killer.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner has been made accused in the present case merely on suspicion and on



the basis of confessional statement of this petitioner and except for that, there is no material against the petitioner to show his involvement in the murder of the brother of the informant. Nothing incriminating has been recovered from person or possession of the petitioner. Petitioner has no connection with the deceased. Learned counsel next submits that petitioner is having two criminal antecedents. Chargesheet has been submitted in this case. Learned counsel lastly submits that petitioner is in custody since 02.09.2023.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that petitioner was apprehended on the basis of tip-off from the Police informer who identified the petitioner on CCTV footage. He further submits that subsequently the petitioner recorded his confessional statement admitting his involvement and recovery of a pistol and two live cartridges were made from the petitioner. However, learned A.P.P. submits that it is not clear from the case diary whether the weapon was sent for forensic examination and whether it was the murder weapon.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of



chargesheet and the background of nature of allegation, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City / concerned Court, in connection with **P.T.N. 1662 of 2022, arising out of Bahadurpur P.S. Case No. 138 of 2022**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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