

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29011 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- DARBHANGA District- Darbhanga

Md. Arzoo Khan S/o Md. Shahid Khan @ Md. Sayeed Khan R/o Mohalla-Senapat, Ps- Town, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 32220 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- DARBHANGA District- Darbhanga

Abdul Rahman S/o Md. Noman R/o Village- Karahatiya, P.S.- Mabbi (Sadar), Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 29011 of 2025)
For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 32220 of 2025)
For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioner in Cr. Misc. No.
32220/2025 is permitted to make necessary correction in
paragraph 3 of the bail petition in the course of the day.

3. The petitioners have preferred this application for



grant of regular bail in connection with Darbhanga Nagar P.S. Case No. 228/2024 dated 07.11.2024 registered for the offence punishable u/s 103 read with 3(5) of the B.N.S and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioners and the co-accused persons along with unknown persons in connivance with one another are alleged to have killed the informant's brother under conspiracy.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The other co-accused person has already been granted bail by this court *vide* order dated 07.07.2025 passed in Cr. Misc. No. 38391/2025. The petitioner (Abdul Rahman) is not named in the F.I.R. There is nothing specific against the petitioner (Abdul Rahman). The specific allegation of firing is against the co-accused persons, Saajan Kumar Thakur and Md. Barkat. As per para. 49 of the case diary, the confessional statement of the co-accused, Saajan Kumar Thakur is mentioned in which he has stated that he fired on the chest of the deceased and the co-accused persons Sonu and Md. Kaif caught hands of the deceased then co-accused. Md. Barkat fired on the head of the deceased, thereafter, he along with Md. Ajaz,



Mukesh Sahani, Aarzo Khan, Md. Kaif and Sonu Sahani cut the head, neck, jaw and both the legs of the deceased with dabiya. The petitioner (Md. Arzoo Khan) is accused in six other criminal cases whereas the petitioner (Abdul Rahman) is accused in two other criminal cases as stated in para 3 of the bail petition. As per the Impugned order, the petitioner (Md. Arzoo Khan) is in custody since 07.01.2025 and the petitioner (Abdul Rahman) is in custody since 16.01.2025.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Darbhanga Nagar P.S. Case No. 228/2024, with the conditions:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

(ii). The petitioners are directed to co-operate in the



trial in the learned court below.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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