

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46895 of 2025

Arising Out of PS. Case No.-729 Year-2023 Thana- BAGHA District- West Champaran

Jhunjhun Khan S/o- Ijharul Khan Village- Kolhua Ps- Chautarva Dist- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 365 and 34 of the Indian
Penal Code .

3 . As per the prosecution case , on 22.10.2023 at
about 4 PM, co-accused Raja Hussain took husband of
informant somewhere and thereafter, husband of informant did
not return. It is alleged that husband of informant had enmity
with this petitioner and co-accused Samir Sah and Faiyaz Shah
and informant suspects that all the F.I.R. named accused
persons, including this petitioner, in planned conspiracy through
co-accused Raja Hussain, have kidnapped her husband with the
intention to kill him.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged. Only suspicion has been raised against this petitioner. From bare perusal of the F.I.R. it is apparent that it was co-accused Raja Hussain who called husband of informant on his mobile and took him away and thereafter husband of informant did not return and on query, the said Raja Hussain disclosed that husband of informant had gone with co-accused Shubham Singh, Rahman Ansari and Nasrullah and there is no whisper about this petitioner in the entire F.I.R. During investigation, none of the witnesses claimed to have seen this petitioner committing or being involved in the alleged occurrence. As a matter of fact, earlier two cases were filed by this petitioner and co-accused Faiyaz Shah against husband of informant due to which husband of informant had gone to jail and for the same reason, informant has taken the name of this petitioner only with a view to put pressure and compromise the cases. Similarly situated co-accused persons has already granted bail by this Court vide order dated 06.02.2025 in Cr. Misc. No. 50023 of 2024.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Bagaha West Champaran in connection with Bagaha(Patkhauli) P.S. case No. 729 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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