

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46763 of 2025

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

1. Raju Khan @ Farid Khan, (Male), aged about 61 years, S/O Lt. Shamser Khan, R/O Village- Jamharu, P.O- Shankarpur Imamganj, P.S- Khirimore (Imamganj), Dist.- Patna- 804426.
2. Jumman Khan @ Mohammad Mahtab Khan, (Male), aged about 55 years, S/O Lt. Shamser Khan, R/O Village- Jamharu, P.O- Shankarpur Imamganj, P.S- Khirimore (Imamganj), Dist.- Patna- 804426.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Nand Kumar Sagar, Advocate
For the Opposite Party	:	Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-12-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Kinjar P.S. Case No. 125 of 2024 dated 10.09.2024 registered for the offences punishable under Section 103(1) read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, unknown miscreants are alleged to have shot the elder brother of the informant to death.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. It is further submitted that the petitioners are not named in the F.I.R. and their names have come in the present case only on the basis of suspicion by some witnesses who are not the eye witnesses and due to extra-judicial confession made before the police which is inadmissible in the law. No incriminating article has been recovered from the possession of the petitioners. There is no eye witness to the alleged offence. The petitioners have no concern with the alleged offence. It is further submitted that the other co-accused persons, namely, Md. Shahjad Khan, Md. Aftab Khan in Cr. Misc. No. 2582 of 2025, Arvind Saw @ Gopal Saw in Cr. Misc. No. 2756 of 2025, Chandrakant Sharma in Cr. Misc. No. 14432 of 2025 vide order dated 28.02.2025, Shree Nath Singh in Cr. Misc. No. 10026 of 2025 vide order dated 10.06.2025 and Kaushal Mahto in Cr. Misc. No. 14357 of 2025 vide order dated 18.06.2025 have already been granted bail by another Co-ordinate Benches as well as by a Bench of this Court, annexed as Annexure-3, 4 and 5 to the present bail application. The petitioner no. 1 has five criminal antecedents and out of which, in one case, he has been acquitted and in four cases, he is on bail and the petitioner no. 2 has seven criminal antecedents and out of which, in two cases, he has been acquitted and in five cases,



he is on bail as stated in paragraph no. 3 of the bail petition. The petitioners are in custody in this case since 05.05.2025.

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

6. 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 Chief Judicial Magistrate, Arwal in connection with Kinjar P.S. Case No. 125 of 2024 with further condition:-

(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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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