

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86352 of 2024**

Arising Out of PS. Case No.-310 Year-2020 Thana- KHAIRA District- Saran

Aftab Khan @ Aftab Alam, aged about 35 years (Male), Son of Md. Inus @ Inus Miyan, Resident of Saidpur Jahuan, P.S. - Awatarnagar, District - Saran at Chhapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Yashraj Bardhan, Advocate  
For the Opposite Party : Mr. Parmanand Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      09-01-2025                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Khaira P.S. Case No. 310 of 2020, corresponding to Sessions Trial No. 637 of 2024 dated 13.10.2020 registered for the offences punishable under Sections 307 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 12.10.2020 at about 5.00 P.M., the informant, namely, Jai Kishore Manjhi was returning to his home and as soon as he reached on the road in front of the house of Mahesh Sah, two unknown persons riding on an Apache Motorcycle came and shot him which hit the informant on his back and bleeding started. Thereafter, unknown



persons fled away towards Khodaibagh. In the meantime, labourers working with him came and took him to P.H.C., Nagra for his treatment and from where he was referred to Sadar Hospital, Chapra.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the F.I.R. has been registered against unknown. The petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Shyam Sundar Paswan which has got no evidentiary value in the eye of law. The said co-accused Shyam Sundar Paswan has already been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 41047 of 2021 under order dated 05.01.2022, annexed as Annexure-P/2 to the present bail petition. The petitioner has been remanded in the present case from Awatarnagar P.S. Case No. 23 of 2024. The petitioner has eight criminal antecedents and in all cases, he is on bail, however, in Awatar Nagar P.S. Case No. 23 of 2024, the bail bond of the petitioner has been cancelled as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 06.02.2024.

5. Learned A.P.P. for the State has opposed the prayer



for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd, Saran at Chapra/Successor Court in connection with Khaira P.S. Case No. 310 of 2020, corresponding to Sessions Trial No. 637 of 2024.

(I) The petitioner is 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 petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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