

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2609 of 2025

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

Jumman Khan @ Mohammad Mahtab Khan @ Mahtab Khan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kumar Sagar, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 06-02-2025 Heard learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kinjar P.S. Case No. 125/2024 instituted for the offences punishable under Section 103(1), 3(5) of the BhartiyaNyay Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged against unknown accused persons whom there is an allegation of committing murder of the informant's elder brother.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner no. 1 possesses seven criminal antecedent and petitioner no. 2 possesses four criminal antecedent. He further submits that petitioners are not named in



the F.I.R., their names has been surfaced during investigation. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner nor their was any eye witness to the alleged occurrence.

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

6. From perusal of the F.I.R., impugned order dated 28.11.2024, it appears that petitioner in connivance with each other have planned to commit murder of the deceased Sunil Singh. It also appears that there is ample evidence in para 11, 12, 13, 14, 15, 16, 17, 363, 50, 53, 64, 88, 89, 90, 109, 110, 123 and 124 of the case diary and also appeared from perusal of impugned order. Postmortem report attached to the case diary shows that the cause of death is due to fire arm injury leading to vital organ damage and complication and finally leading to cardio respiratory arrest. Para- 140 of the case diary shows that the petitioner Juman Khan @ Mehtab Khan bears criminal antecedent of seven cases whereas the petitioner Raju Khan @ Farid Khan bears criminal antecedent of five cases as per para 3 of the bail petition and moreover, this case is still under investigation.

7. Considering the all the aforesaid aspects of the



matter, criminal antecedent of the petitioners, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for the anticipatory bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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