

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14102 of 2024

Arising Out of PS. Case No.-249 Year-2022 Thana- KALYANPUR District- Samastipur

Md. Haidar S/o Md. Akbar R/o vill - Bhutta chowk, Gopalpur, P.s. -
Kalyanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kalyanpur P.S. case No.
249 of 2022, G.R. No. 2218 of 2022 instituted for the offences
under Sections 394 and 307 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case, in short, is that while the
informant was going to CSP of the bank with Rs. 1.75 lakhs
cash, unknown accused persons, variously armed, stopped the
motorcycle of the informant and looted Rs. 1.75 lakhs cash and
other documents on gun point. The accused persons also fired at
the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely Sankal Kumar @ Rakesh Kumar @ Lalwa. There is no recovery of any incriminating articles from the possession of the petitioner. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. The petitioner is in custody since 28.04.2023 and has nine criminal antecedents. Learned counsel further submits that in all the cases, the petitioner was not named in the F.I.R. and his name has transpired on the basis of confessional statement of co-accused. Charge in this case has already been framed.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that charge has already been framed, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Kalyanpur P.S. case
No. 249 of 2022, G.R. No. 2218 of 2022 subject to the
following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

