

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12993 of 2025

Arising Out of PS. Case No.-29 Year-2023 Thana- BALTHAR District- West Champaran

Siddu @ Shahubuddin @ Salauddin S/o Sheikh Arman R/o Village-Bherihar,
Police station- Purushottampur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 13825 of 2025

Arising Out of PS. Case No.-29 Year-2023 Thana- BALTHAR District- West Champaran

Allauddin @ Settu @ Md. Allauddin Son of Sheikh Arman Resident of
Village- Bherihari, P.S.- Purushottampur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 12993 of 2025)
For the Petitioner/s : Mr. Brij Kishor Mishra, Adv
For the Opposite Party/s : Mr. Narsingh Tanti, APP
(In CRIMINAL MISCELLANEOUS No. 13825 of 2025)
For the Petitioner/s : Mr. Brij Kishor Mishra, Adv
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 10-07-2025 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. Both the applications are arising from the same P.S
Case i.e. Balthar P.S. Case No. 29 of 2023, hence, they are
being heard together and are being decided by a common order.

3. The petitioners seek regular bail in a case registered



for the offences punishable under Sections 392/34 of the I.P.C.

4. As per the prosecution case, some unknown miscreants are alleged to have intercepted the informant and snatched the key of his motorcycle and on the point of pistol they also snatched cash of Rs. 16,000/- from the pocket of the informant. Thereafter, they fled away.

5. Learned counsel for the petitioners has submitted that the petitioners are not named in the F.I.R. and their name has surfaced on the confessional statement of the co-accused Md. Chhote @ Sheikh Chhote. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioners and till date no T.I.P. has been conducted for the identification of the petitioners to be involved in the said incident. It is next submitted that the charge sheet has already been submitted and similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 53320 of 2024. It is lastly submitted that the petitioner, namely, Siddu Shahubuddin, has two criminal antecedents and is in custody since 27.04.2024, whereas, the petitioner, namely, Allaudin @ Settu, has one criminal antecedent and is in custody since 08.12.2023.



6. Learned APP for the state has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid submissions of the parties and taking into account the fact that the co-accused, namely, Md. Chhote @ Sheikh Chhote, on whose confession the name of the petitioners has transpired in this case, has already been granted bail by a co-ordinate Bench of this Court as well as the period of custody, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Balthar P.S. Case No. 29 of 2023, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bonds.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners



have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. The application stands allowed.

(Sourendra Pandey, J)

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