

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16737 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- AMAUR District- Purnia

Sayem Babu Son of Sabir Alam Resident of Village- Dhanpura, P.s.-
Kochadhaman, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Ms. Sharda Kumari, APP

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

ORAL ORDER

4 01-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Amour P.S. Case No. 374 of 2024 dated 07.10.2024 registered for the offences punishable u/ss 111, 310(4), 310(5), 109, 121, 121(1) and 125(a) of the B.N.S. and Sections 25(1-B)(a), 25(1-AA), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, on secret information, the informant came to know that the notorious absconder criminal Md. Adil @ Babar @ Papad is conspiring to execute an occurrence and on this, the Superintendent of Police, Purnea constituted a team and proceeded to the place of occurrence. It



is further alleged that a Scorpio was seen coming and while police signaled the vehicle to stop, the criminals on the vehicle got down and started firing. Police caught six miscreants and one miscreant, Babar was found lying dead. The apprehended persons disclosed their names as Nusid Alam, Dildar, Iqbal Hussain, Sahinur, Md. Aslam and Sayem (petitioner). On search, one desi katta and one live cartridge were recovered from the possession of the petitioner and also pistols, magazines and the other articles were recovered from the possession of the other co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The co-accused person has already been granted bail by a Coordinate Bench of this court vide order dated 15.05.2025 passed in Cr. Misc. No. 11158/2025. Learned counsel has further submitted that no one has sustained any fire-arm injuries. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 08.10.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner and submitted that the said recovery has been made from the possession of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnia in connection with Amour P.S. Case No. 374 of 2024 with the condition :-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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