

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25745 of 2025

Arising Out of PS. Case No.-459 Year-2024 Thana- DARIYAPUR District- Saran

Badal Kumar S/o Late Dilip Sah R/o Vill.- Bahrewagachhi, P.S.- Nayagaon,
Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

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

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dariyapur P.S. Case No. 459 of 2024 instituted for the offence
under Sections 309(1) & 311 of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case in short is that while informant
was on his way, he was accosted with three unknown, who on
the point of pistol have snatched Rs. 1,200/- and documents.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 20-08-2024. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Ashutosh Kumar. Nothing has been recovered from the possession of the petitioner. Petitioner was not even put on T.I. Parade. So far as recovery of knife is concerned, the same is made from the possession of co-accused, Ashutosh Kumar. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet is submitted in this case. He further submits that the co-accused Amarjeet Kumar has already been granted bail by this Court vide order dated 10.04.2025 passed in Cr. Misc. No. 2578 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Dariyapur
P.S. Case No. 459 of 2024.

(Rudra Prakash Mishra, J)

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