

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24983 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- VIJAYEPUR District- Gopalganj

Raju Siddique @ Raju Shidhiq S/o Naim Miyan @ Nayim Miya Resident of
village- Sisai, Pathan Tola, P.S.- Bhore, Distt.- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dewanand Tiwari, Advocate

For the Opposite Party : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 12-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Vijayipur P.S. Case No. 241 of 2024 registered for the
offences under Sections 309(4) of the Bhartiya Nyaya
Sanhita, 2023 (in short, the 'B.N.S.').

3. The petitioner is not named in the First
Information Report and is in custody since 13.01.2025.

4. Allegation against the petitioner is to commit
robbery in the night and while doing so, looted the mobile,
motorcycle and ready-made cloths etc. from possession of the
informant on 03.11.2024 at 10:40 P.M.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that name of petitioner transpired on the basis of apprehended co-accused Gabbu Miya and Afjal Ansari, in furtherance of which, no incriminating material was recovered from possession of this petitioner during investigation as to connect him *prima facie* with the present occurrence of robbery. It is submitted that petitioner not put on TIP as yet. It is also pointed out that incriminating material like looted ready-made cloths was recovered from possession of co-accused Gabbu Miya and not from this petitioner.

6. It is further submitted that petitioner found involved in three more criminal cases of similar nature and for suspicion arising out of his criminal antecedent, the present false implication was raised against him, where in all such three criminal cases, he is on bail, where in maximum of cases, his name transpires on the basis of confessional statement as of the present case, having no evidentiary value under law.

7. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of



tampering with the evidence.

8. Learned A.P.P. for the State, while opposing the prayer for bail of the petitioner, fairly conceded that no incriminating material has been recovered from possession of this petitioner.

9. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion arising out of confessional statement of apprehended co-accused persons, nothing incriminating material appears recovered during course of investigation as to connect the petitioner *prima facie* with the present occurrence of robbery, coupled with the fact that petitioner is in custody since 13.01.2025 and investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Gopalganj, in connection with Vijayipur P.S. Case No. 241 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the



Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

10. The presence of the Investigating Officer of this
case stands dispensed with.

(Chandra Shekhar Jha, J)

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