

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37988 of 2025

Arising Out of PS. Case No.-165 Year-2023 Thana- Kinjar District- Arwal

Khurshid Alam@Khushid Alam S/o Md. Mustak Ansari R/o Village-
Wajidpur, P.S- Karpi, Distt.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Renu Jha, Adv. Ms. Nilam Kumari, Adv.
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

3. The allegation in the FIR is that the paddy laden truck of the informant was overtaken by a Bolero car and some unknown miscreants forced the informant and his driver into their Bolero car and took to a lonely place where they were dropped by the miscreants. It is further alleged that the paddy which was loaded on the truck was stolen away.

4. Learned counsel for the petitioner submits that the FIR was lodged against unknown miscreants and the name of the petitioner transpired during the course of investigation on the



ground that when the CDR of one of the co-accused, namely, Bhushan Singh was looked into, it was found that the said Bhushan Singh had conversation with the present petitioner between 20th December to 27th December for a total of 31 times which would appear from paragraph 117 of the case diary as indicated in the bail rejection order. It is further submitted that the allegation against Bhushan Singh is that he had purchased the paddy from one Shambhu Saw from whose go-down, the stolen paddy was recovered. It is further pointed out that there is no role of the petitioner in either taking away of the truck or the paddy nor any recovery has been made from his possession and he has been made an accused only on account of some telephonic conversation with one of the co-accused Bhushan Singh who has already been granted bail vide order dated 19.05.2025 passed Cr. Misc. No. 32235 of 2025. It is next submitted that the petitioner is in custody since 25.01.2025 with no criminal antecedent.

5. Learned APP for the State, however, opposes the prayer for regular bail.

6. Considering the above-mentioned facts and circumstances, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kinjar P.S. Case No. 165 of 2023, subject to the following conditions that:

(I) One of the bailors will be a family member or a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner.

(II) The petitioner shall cooperate in the trial and if he fails to appear before the learned Court below on two consecutive dates fixed in the case, the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioner before the learned Court below.

(Soni Shrivastava, J)

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