

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42340 of 2025

Arising Out of PS. Case No.-191 Year-2024 Thana- KALYANPUR District- Samastipur

Md. Haidar S/O Md. Akbar @ Akbar @ Laphua R/O Village- Bhutta Chowck
Gopalpur, P.S- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 191 of 2024 instituted for the offence
under Sections 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in a nutshell is that informant-who
was driver of pickup van- was on his way when he was
intercepted with three unknown miscreants, who on the point of
pistol took away three battery loaded in the vehicle.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-02-2025. Petitioner
bears nine criminal antecedents, 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 even named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Md. Siraj @ Md. Faizal. Nothing has been recovered from the possession of the petitioner. Petitioner was not even put on T.I. Parade. Police after completion of investigation has submitted charge sheet in this case.

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, ***after framing of charge, if not already framed***, 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 Kalyanpur P.S. Case No. 191 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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