

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41641 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- BHARGAMA District- Araria

Salman @ Md. Salman Alam S/o- Md. Abas Resident of Hingwa P.S-
Bhargama, Dist- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate
For the Opposite Party : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Bhargama P.S. Case No. 311 of 2024, registered for the alleged offences under Section 309 (4) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, four miscreants robbed the informant and another person while they had been going to purchase fish on their Tempo. On gunpoint, the miscreants snatched Rs. 26,000/- and a mobile phone from the informant and his associate and also assaulted them. The co-accused Md. Aslam was identified by the informant, who disclosed the name of this petitioner for also being involved in the occurrence.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case on the basis of suspicion. The name of petitioner came up during investigation in the confessional statement of co-accused, Md. Aslam. There is no eye witness to the alleged occurrence and none of the prosecution witnesses have supported the version of the informant. Nothing incriminating has been recovered from the person/possession of this petitioner. The petitioner was not even present at the place of occurrence at the relevant time. The petitioner has not been put to any test identification parade. The petitioner is having clean antecedent. Learned counsel further submits that similarly placed co-accused person, namely Md. Naushad @ Nausad, has been granted bail by this Court vide order dated 18.06.2025 passed in Criminal Misc. No. 37260 of 2025. The petitioner is in custody since 23.03.2025 and charge sheet has been submitted.

05. Learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner and other co-accused were involved in robbing the informant and his associate.

06. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown from the petitioner and further



considering the period of custody of the petitioner and his clean antecedent along with submission of charge sheet, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria/court concerned, in connection with Bhargama P.S. Case No. 311 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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