

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42206 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- HAJIPUR RAIL P.S. District- Saran

1. Md. Amil S/o- Atabul Rehman Resident of E - Block, Jhuggi No. 224, Bawana, J.J. Colony, Police Station - Bhorgarh, Delhi
2. Mehrab Khan S/o- Md. Sanaula Khan Resident of A - Block, Jhuggi No. 191, Bawana, J.J. Colony, Police Station - Bhorgarh, Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh, Adv.

For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Rail Hajipur P.S. Case No. 27 of 2025 instituted for the offences under Sections 319(2), 318(4), 316(2), 61(2)/3(5) of the Bhartiya Nyaya Sanhita.

3. As per prosecution case, the accusation against the petitioners is of being involved in cheating the passenger through his ATM card and transferring the money to other bank account. The police has also recovered mobile phone, ATM card, money and other articles from their possession.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioners have not committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioners. He further submits that the petitioners were not apprehended by the police while they were doing any illegal act or planning to do so. Both the petitioners have one criminal antecedent each in which they are on bail and are languishing in judicial custody since 20.02.2025 without any rhymes or reason. There is non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like



amount each to the satisfaction of Court below/concerned Court
in connection with Rail Hajipur P.S. Case No. 27 of 2025.

(Rudra Prakash Mishra, J)

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