

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45793 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- BAISI District- Purnia

Sayem Babu S/o- Sabir Alam @ Majharul Haque R/o Village- Baicha Kutti
PS-Kochadhaman, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 397 of the Indian Penal Code (in short ‘IPC’) and under Section 27 of the Arms Act. Later on added Section 395 of the IPC.

3. The case of the prosecution is that unknown miscreants committed dacoity in the house of the informant.

4. Learned counsel for the petitioner has submitted that the FIR was lodged against unknown miscreants. The petitioner was apprehended in Amour P.S. Case No. 374 of 2024 and in that case he has given his confessional statement and only on the basis of the confessional statement he has been made accused in this case. It has also been submitted by the



learned counsel for the petitioner that nothing has been recovered from the possession of the petitioner. Learned counsel has further submitted that the co-accused having similar nature of the allegation has been granted bail by the learned Coordinate Bench vide Cr. Misc. Case No. 34589 of 2025. Learned counsel has finally submitted that the petitioner is languishing in judicial custody since 03.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the bail of the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail, subject to the conditions as laid down under Section 480(3) of the BNSS, 2023

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. The above named petitioner is directed to be released on bail in connection with Baisi P.S. Case No. 147 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Purnea.

(Ashok Kumar Pandey, J)

durgesh/-

U		T	
---	--	---	--

