

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49760 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- HALAI District- Samastipur

1. Md. Rasid S/O Md. Islam R/O Vill.- Jorpura, P.S.- Halai, District- Samastipur.
2. Naveen Kumar S/O Rakesh Kumar Choudhary @ Hiralal Choudhary @ Rakesh Kumar Chaudhari R/O village- Harpur Barheta, P.S.-Saraeranjan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel appearing on behalf of the

petitioners, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in connection with Halai P.S.

Case No. 23/2025, registered for the offence under Sections

309(6), 109(1) of the Bharatiya Nayaya Sanhita and Section 27 of

the Arms Act.

3. The abovenamed accused/petitioners are not named

in the F.I.R. and are in custody since 18.03.2025.

4. As per FIR, informant was looted by some unknown

miscreants while returning from bank. It is alleged that during

occurrence the bag containing valuable documents and cash of Rs.

6,000/- was looted.



5. Learned counsel appearing on behalf of the petitioners submitted that the name of petitioners transpired during investigation on the basis of confessional statement of co-accused Munna Kumar, in furtherance of which no incriminating material recovered/surfaced as to connect them *prima facie* with present crime in question. It is submitted that the recovered cash are very nominal i.e. Rs. 1200/- and Rs. 1700/- from the possession of these petitioners, which was their money and same cannot be connected with looted money in want of any details and denomination. It is pointed out that petitioners were not put on TIP as yet. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement *prima facie* nothing appears incriminating as to connect both petitioners with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioners remains in custody since 18.03.2025, accordingly, abovenamed petitioners are directed to



be released on bail in connection with Halai P.S. Case No. 23/2025, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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