

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54030 of 2025

Arising Out of PS. Case No.-331 Year-2022 Thana- DHORAIYA District- Banka

Md. Abdus Salam @ Abdus Salam @ Sadam @ Abdus Sallam @ Saddam@
Md. Abdul Sallam Son of Late Abdul Wahid Resident Of Village -Rangaon
Buzurg, Ps -Dhoraiya, Dist -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
	:	Mr. Ravi Prakash Dwivedi, Advocate
	:	Mr. Saurabh Raj, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2025 Heard Mr. Praveen Kumar, learned counsel for the

petitioner as well as Mr. Brajendra Nath Pandey, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.09.2022 in connection with Dhoraiya P.S. Case No. 331 of
2022, F.I.R. dated 20.09.2022 for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. Earlier the bail application of the petitioner was
rejected vide order dated 18.07.2023 in Cr. Misc. No. 24450 of
2023.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the ground that he is husband of the deceased and trial is not in progress.

5. Vide order dated 01.08.2025 a report was called with regard to stage of the trial. Report of the learned Trial Court dated 08.08.2025 reveals that out of seven chargesheet witnesses, the prosecution has not examined any witness.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 29.09.2022 i.e for almost three years.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances and report of trial court and period of custody of the petitioner, let the petitioner, above named, 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 the learned A.D.J-I-cum-Special Judge, SC/ST (POA) Act, Banka in connection with Dhoraiya P.S. Case No. 331 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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